FEDERAL REGISTER

VOLUME 18 NUMBER 202

Washington, Thursday, October 15, 1953

TITLE 6—AGRICULTURAL CREDIT

Chapter I—Farm Credit Administration, Department of Agriculture

Subchapter E—Production Credit System

[FCA Order 582]

PART 50—RULES AND REGULATIONS FOR PRODUCTION CREDIT ASSOCIATIONS

CONSOLIDATION OR MERGER OF PRODUCTION CREDIT ASSOCIATIONS

Section 50.20 of the rules and regulations for Production Credit Associations is hereby amended to read as follows:

§ 50.20 *Consolidation or merger of associations*—(a) *Agreement.* (1) By resolution, the board of directors of each association constituent to a consolidation or merger shall authorize the execution of, and shall approve, an agreement (in the form prescribed by the corporation with the approval of the Farm Credit Administration) designating the charter of one of the constituent associations as the charter of the consolidated association or of the continuing association in the case of a merger, providing for a date on which the consolidation or merger shall be effective, and setting forth the terms and conditions thereof, and the mode of carrying the same into effect.

(2) If the associations are to be consolidated, the agreement shall also provide that the shares of class A stock of the respective constituent associations shall be converted at the par value thereof into like shares of the consolidated association; that the shares of class B stock of the respective constituent associations which have a fair book value equal to or greater than the par value thereof shall be converted at the par value thereof into like shares of the consolidated association; that the shares of class B stock of the respective constituent associations which have a fair book value of less than par shall be converted into $5.00 par value shares of class B stock of the consolidated association having an aggregate value equal in each instance to the aggregate fair book value of such shares of such constituent associations.

(3) If the associations are to be merged, the agreement shall also provide that the shares of class A stock of the association (associations) which is (are) merged into the continuing association shall be converted at the par value thereof into like shares in the continuing association; that the shares of class B stock in the merged association (associations) which have a fair book value equal to or greater than the par value thereof shall be converted at the par value thereof into like shares of the continuing association; and that the shares of Class B stock in the merged association (associations) which have a fair book value of less than par shall be converted into $5.00 par value shares of class B stock of the continuing association having an aggregate value equal in each instance to the aggregate fair book value of such shares of such merged associations.

(b) *Approval of agreement.* In order to become effective, the agreement must be approved:

(1) By a two-thirds vote of the class B stockholders of each association constituent to the consolidation or merger who are present at a meeting duly called for the purpose (provided the stockholders so present constitute a quorum)

(2) By the president of the corporation; and

(3) By the Farm Credit Administration.

(c) *Effectiveness of agreement.* (1) When so approved, the consolidation or merger agreement shall be filed with the corporation and shall become effective as of its effective date. As of such date, in the case of consolidation, the separate existence of the constituent associations shall cease, and the consolidated association shall succeed, without other transfer, to all rights and property of the constituent associations and shall be obligated to discharge all the debts, liabilities, and duties thereof in the same manner and to the same extent as if such consolidated association had originally incurred them.

(2) In case of merger, the separate existence of the merged association (associations) shall cease, and the continuing association shall succeed, without other transfer, to all rights and property of the merged association (associations) and shall be obligated to discharge all the debts, liabilities, and duties thereof in the same manner and to the same extent as if such continuing association had originally incurred them.

(d) *Supervisory duties of corporation.* It shall be the duty of the corporation

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CODIFICATION GUIDE

A numerical list of the parts of the Code of Federal Regulations affected by documents published in this issue. Proposed rules, as opposed to final actions, are identified as such.

to supervise the consolidation or merger for the purpose of insuring that the terms and conditions of the agreement are properly carried into effect.

(Sec. 20, 48 Stat. 259; 12 U. S. C. 1131d)

[SEAL] C. R. ARNOLD, *Governor*

[F. R. Doc. 53-8779; Filed, Oct. 14, 1953; 8:52 a. m.]

TITLE 7—AGRICULTURE

Chapter VII—Production and Marketing Administration (Agricultural Adjustment), Department of Agriculture

PART 722—COTTON

PROCLAMATION RELATING TO NATIONAL MARKETING QUOTA AND NATIONAL ACREAGE ALLOTMENT FOR THE 1954 CROP OF UPLAND COTTON

Sec.
722.501 Basis and purpose.
722.502 Findings and determinations with respect to a national marketing quota for the 1954 crop of cotton.

Sec.
722.503 Determination of a national acreage allotment for the 1954 crop of cotton.

AUTHORITY: §§ 722.501 to 722.503 issued under sec. 375, 52 Stat. 66, as amended; 7 U. S. C. 1375. Interpret or apply secs. 301, 341–348, 52 Stat. 38, as amended; 7 U. S. C. 1301, 1341–1348.

§ 722.501 *Basis and purpose.* (a) This proclamation is issued to announce findings made by the Secretary of Agriculture with respect to the total supply and the normal supply of upland cotton for the marketing year beginning August 1, 1953, and to proclaim whether, upon the basis of such findings, a national marketing quota and a national acreage allotment for the 1954 crop of upland cotton are required under the provisions of the Agricultural Adjustment Act of 1938, as amended (referred to herein as the "act") The term "upland cotton" (referred to herein as "cotton") and the data appearing in §§ 722.502 and 722.503 do not include extra long staple cotton described in section 347 (a) of the act or similar types of such cotton which are imported. Section 342 of the act provides, in part, that, whenever during any calendar year the Secretary determines that the total supply of cotton for the marketing year beginning in such calendar year will exceed the normal supply for such marketing year, the Secretary shall proclaim such fact and a national marketing quota shall be in effect for the crop of cotton produced in the next calendar year. Whenever a national marketing quota is proclaimed, the Secretary is required by section 344 (a) of the act to determine and proclaim a national acreage allotment for the crop of cotton to be produced in the next calendar year. The act further provides that the proclamation with respect to a national marketing quota shall be made not later than October 15 of the calendar year in which the determintions relating thereto are made.

(b) The terms "total supply" "carry-over" and "normal supply" as they relate to cotton, are defined in section 301 of the act as follows:

"Total supply" of cotton for any marketing year shall be the carry-over at the beginning of such marketing year, plus the estimated production of cotton in the United States during the calendar year in which such marketing year begins and the estimated imports of cotton into the United States during such marketing year.

"Carry-over" of cotton for any marketing year shall be the quantity of cotton on hand in the United States at the beginning of such marketing year, not including any part of the crop which was produced in the United States during the calendar year then current.

"Normal supply" of cotton for the marketing year shall be the estimated domestic consumption of cotton for any marketing year for which such normal supply is being determined, plus the estimated exports of cotton for such marketing year, plus 30 per centum of the sum of such consumption and exports as an allowance for carry-over.

(c) The findings and determinations made by the Secretary are contained in §§ 722.502 and 722.503 and have been made on the basis of the latest available statistics of the Federal Government. Prior to making such findings and determinations, notice was published in the FEDERAL REGISTER (18 F. R. 5367) in accordance with the Administrative Procedure Act (5 U. S. C. 1003) that the Secretary was preparing to examine the supply situation with respect to cotton to determine if quotas were required under the act and that any interested person might express his views in writing with respect thereto, postmarked not later than 20 days from the date of publication of the notice, which was September 4, 1953. All written expressions submitted pursuant to such notice have been duly considered in connection with making the findings and determinations.

§ 722.502 *Findings and determinations with respect to a national marketing quota for the 1954 crop of cotton*— (a) *Total supply.* The total supply of cotton for the marketing year beginning August 1, 1953 (in terms of running bales or the equivalent) is 20,454,046 bales, consisting of (1) a carry-over on August 1, 1953, of 5,064,346 bales, (2) estimated production from the 1953 crop of 15,314,700 bales, and (3) estimated imports into the United States during the marketing year beginning August 1, 1953, of 75,000 bales.

(b) *Normal supply.* The normal supply of cotton for the marketing year beginning August 1, 1953 (in terms of running bales or the equivalent), is 16,380,000 bales, consisting of (1) estimated domestic consumption for the marketing year beginning August 1, 1953, of 9,400,000 bales, (2) estimated exports during the marketing year beginning August 1, 1953, of 3,200,000 bales, and (3) 30 percent of the sum of subparagraphs (1) and (2) of this paragraph as an allowance for carry-over, or 3,780,000 bales.

(c) *National marketing quota.* It is hereby determined and proclaimed that the total supply of cotton for the marketing year beginning August 1, 1953, will exceed the normal supply of cotton for such marketing year. Therefore, a national marketing quota shall be in effect for the crop of cotton produced in the calendar year 1954. It is further determined and proclaimed that the amount of the national marketing quota for the 1954 crop of cotton shall be 10,000,000 bales (standard bales of 500 pounds gross weight) The amount of such quota has been determined under section 342 of the act which, in effect, provides that the 1954 quota shall be the larger of the following:

(1) The number of bales of cotton (standard bales of 500 pounds gross weight) adequate, together with (i) the estimated carry-over at the beginning of the 1954–55 marketing year and (ii) the estimated imports during the 1954–55 marketing year, to make available a normal supply of cotton. The number of bales of cotton determined under this provision would be 8,609,409 bales.

(2) The number of bales of cotton (standard bales of 500 pounds gross weight) equal to the smaller of (i) 10,000,000 bales, or (ii) 1,000,000 bales less than the estimated domestic consumption plus exports of cotton for the marketing year ending July 31, 1953. The number of bales of cotton determined under subdivision (ii) of this subparagraph would be 11,519,752 bales. Therefore, the smaller of subdivisions (i) and (ii) of this subparagraph would be 10,000,000 bales.

§ 722.503 *Determination of national acreage allotment for the 1954 crop of cotton.* It is hereby further determined and proclaimed that a national acreage allotment shall be in effect for the crop of cotton produced in the calendar year 1954. The amount of such national acreage allotment shall be 17,910,443 acres. The amount of such national acreage allotment has been determined under section 344 (a) of the act, which provides that the national acreage allotment for cotton shall be that acreage, based upon the national averge yield per acre of cotton for the 5 years immediately preceding the calendar year in which the national marketing quota is proclaimed, required to make available from such crop an amount of cotton equal to the national marketing quota.

Done at Washington, D. C., this 9th day of October 1953. Witness my hand and the seal of the Department of Agriculture.

[SEAL] EZRA TAFT BENSON,
Secretary of Agriculture.

[F. R. Doc. 53-8777; Filed, Oct. 14, 1953; 8:52 a. m]

PART 722—COTTON

PROCLAMATION RELATING TO NATIONAL MARKETING QUOTA AND NATIONAL ACREAGE ALLOTMENT FOR 1954 CROP OF EXTRA LONG STAPLE COTTON

Sec.
722.1101 Basis and purpose.
722.1102 Findings and determinations with respect to a national marketing quota for the 1954 crop of extra long staple cotton.
722.1103 Determination of a national acreage allotment for the 1954 crop of extra long staple cotton.

AUTHORITY: §§ 722.1101 to 722.1103 issued under sec. 375, 52 Stat. 66, as amended; 7 U. S. C. 1375. Interpret or apply secs. 301, 341–348, 52 Stat. 38, as amended, Pub. Law 117, 83d Cong.; 7 U. S. C. 1301, 1341–1348.

§ 722.1101 *Basis and purpose.* (a) This proclamation is issued to announce findings made by the Secretary of Agriculture with respect to the total supply and the normal supply of extra long staple cotton for the marketing year beginning August 1, 1953, and to proclaim whether, upon the basis of such findings, a national marketing quota and a national acreage allotment for the 1954 crop of extra long staple cotton are required under the provisions of the Agricultural Adjustment Act of 1938, as amended (referred to herein as the "act")

(b) The term "extra long staple cotton" as used in § 722.1102 (a) and (b) means the kinds of cotton described in section 347 (a) of the act, including all American Egyptian, Sea Island in both the continental United States and Puerto Rico, and Sealand cotton, and all imports of similar type cotton produced in Egypt and Peru. The term "extra long staple cotton" as used in §§ 722.1102 (c) and 722.1103, means the kinds of cotton described in section 347 (a) of the act.

The term "carry-over" as used herein does not include the stocks of extra long staple cotton acquired pursuant to, or under the authority of, the Strategic and Critical Materials Stockpiling Act. Section 347 (c) of the act provides that, with certain exceptions, all provisions of the act shall, insofar as applicable, apply to marketing quotas and acreage allotments for extra long staple cotton.

(c) The terms "total supply" "carry-over" and "normal supply" as they relate to cotton, are defined in section 301 of the act as follows:

"Total supply" of cotton for any marketing year shall be the carry-over at the beginning of such marketing year, plus the estimated production of cotton in the United States during the calendar year in which such marketing year begins and the estimated imports of cotton into the United States during such marketing year.

"Carry-over" of cotton for any marketing year shall be the quantity of cotton on hand in the United States at the beginning of such marketing year, not including any part of the crop which was produced in the United States during the calendar year then current.

"Normal supply" of cotton for the marketing year shall be the estimated domestic consumption of cotton for any marketing year for which such normal supply is being determined, plus the estimated exports of cotton for such marketing year, plus 30 per centum of the sum of such consumption and exports as an allowance for carry-over.

(d) Section 347 (b) of the act provides that whenever during any calendar year, not later than October 15, the Secretary of Agriculture determines that the total supply of extra long staple cotton for the marketing year beginning in such calendar year will exceed the normal supply thereof for such marketing year by more than 8 per centum, the Secretary shall proclaim such fact and a national marketing quota shall be in effect for the crop of such cotton produced in the next calendar year. Whenever a national marketing quota is proclaimed under the act, the Secretary is also required to determine and proclaim a national acreage allotment for the crop to be produced in the next calendar year.

(e) The findings and determinations made by the Secretary are contained in §§ 722.1102 and 722.1103 and have been made on the basis of the latest available statistics of the Federal Government. Prior to making such findings and determinations, notice was published in the FEDERAL REGISTER (18 F. R. 5367) in accordance with the Administrative Procedure Act (5 U. S. C. 1003) that the Secretary was preparing to examine the supply situation with respect to extra long staple cotton to determine if quotas were required under the act and that any interested person might express his views in writing with respect thereto, postmarked not later than 20 days from the date of publication of such notice, which was September 4, 1953. All written expressions submitted pursuant to such notice have been duly considered in connection with making the findings and determinations.

§ 722.1102 *Findings and determinations with respect to a national marketing quota for the 1954 crop of extra long staple cotton*—(a) *Total supply.* The total supply of extra long staple cotton for the marketing year beginning August 1, 1953 (in terms of running bales or the equivalent) is 258,036 bales, consisting of (1) a carry-over on August 1, 1953, of 91,736 bales, (2) estimated production from the 1953 crop of 66,300 bales, and (3) estimated imports into the United States during the marketing year beginning August 1, 1953, of 100,000 bales.

(b) *Normal supply.* The normal supply of extra long staple cotton for the marketing year beginning August 1, 1953 (in terms of running bales or the equivalent) is 130,000 bales, consisting of (1) estimated domestic consumption for the marketing year beginning August 1, 1953, of 100,000 bales, (2) estimated exports during the marketing year beginning August 1, 1953, of none, and (3) 30 percent of the sum of subparagraphs (1) and (2) of this paragraph as an allowance for carry-over, or 30,000 bales.

(c) *National marketing quota.* It is hereby determined and proclaimed that the total supply of extra long staple cotton for the marketing year beginning August 1, 1953, will exceed the normal supply of such cotton for such marketing year by more than 8 per centum. Therefore, a national marketing quota shall be in effect for the crop of extra long staple cotton produced in the calendar year 1954. It is further determined and proclaimed that the amount of the national marketing quota for the 1954 crop of extra long staple cotton shall be 30,000 bales of cotton (standard bales of 500 pounds gross weight) Under section 347 (b) of the act, the amount of the national marketing quota in terms of the quantity of cotton needed to make available a normal supply, taking into account the estimated carry-over on August 1, 1954, and the estimated imports during the 1954–55 marketing year, would be substantially smaller than 30,000 bales. However, section 347 (b) of the act also provides that the national marketing quota for the 1954–55 marketing year shall not be less than the larger of 30,000 bales or the number of bales equal to 30 per centum of the estimated domestic consumption plus exports for the 1953–54 marketing year.

§ 722.1103 *Determination of national acreage allotment for extra long staple cotton.* It is hereby determined and proclaimed that the national acreage allotment for the 1954 crop of extra long staple cotton shall be 41,261 acres. The amount of such national acreage allotment has been determined under section 344 (a) of the act, which provides that the national acreage allotment shall be that acreage, based upon the national average yield per acre of cotton for the 5 years immediately preceding the calendar year in which the national marketing quota is proclaimed, required to make available from such crop an amount of cotton equal to the national marketing quota.

Done at Washington, D. C., this 9th day of October 1953. Witness my hand and the seal of the Department of Agriculture.

[SEAL] EZRA TAFT BENSON,
Secretary of Agriculture.

[F. R. Doc. 53-8780; Filed, Oct. 14, 1953; 8:52 a. m.]

PART 727—MARYLAND TOBACCO

PROCLAMATION OF THE NATIONAL MARKETING QUOTA FOR 1954–55 MARKETING YEAR AND APPORTIONMENT OF QUOTA AMONG THE SEVERAL STATES

Correction

In F. R. Doc. 53-8663, appearing at page 6446 of the issue for Saturday, October 10, 1953, the following change should be made:

In the fourth line of § 727.501 (b) the words "within 3 days" should read "within 30 days."

Chapter IX—Production and Marketing Administration (Marketing Agreements and Orders), Department of Agriculture

[Grapefruit Reg. 92]

PART 955—GRAPEFRUIT GROWN IN THE STATE OF ARIZONA, IN IMPERIAL COUNTY, CALIFORNIA, AND IN THAT PART OF RIVERSIDE COUNTY, CALIFORNIA, SITUATED SOUTH AND EAST OF THE SAN GORGONIO PASS

LIMITATION OF SHIPMENTS

§ 955.353 *Grapefruit Regulation 92*—(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 55, as amended (7 CFR Part 955) regulating the handling of grapefruit grown in the State of Arizona; in Imperial County California, and in that part of Riverside County California, situated south and east of the San Gorgonio Pass, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and upon the basis of the recommendations of the Administrative Committee (established under the aforesaid amended marketing agreement and order), and upon other available information, it is hereby found that the limitation of shipments of grapefruit, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective date. The Administrative Committee held an open meeting on October 1, 1953, to consider recommendations for a regulation, after giving due notice of such meeting, and interested persons were afforded an opportunity to submit their views at this meeting; information regarding the provisions of the regulation recommended by the committee has been disseminated to shippers of grapefruit, grown as aforesaid, and this section, including the effective time thereof,

is identical with the recommendation of the committee; it is necessary, in order to effectuate the declared policy of the act, to make this section effective on the date hereinafter set forth so as to provide for the regulation of the handling of the grapefruit at the start of this marketing season; and compliance with this section will not require any special preparation on the part of persons subject thereto which cannot be completed on or before the effective date hereof.

(b) *Order.* (1) During the period beginning at 12:01 a. m., P. s. t., October 18, 1953, and ending at 12:01 a. m., P. s. t., December 20, 1953, no handler shall ship:

(i) Any grapefruit of any variety grown in the State of Arizona, in Imperial County, California; or in that part of Riverside County, California, situated south and east of the San Gorgonio Pass unless such grapefruit are at least fairly well colored, and otherwise graded at least U. S. No. 2; or

(ii) From the State of California or the State of Arizona (*a*) to any point outside thereof in the United States, any grapefruit, grown as aforesaid, which are of a size smaller than 3 11/16 inches in diameter, or (*b*) to any point in Canada, any grapefruit, grown as aforesaid, which are of a size smaller than 3 9/16 inches in diameter ("diameter" in each case to be measured midway at a right angle to a straight line running from the stem to the blossom end of the fruit) except that a tolerance of 5 percent, by count, of grapefruit smaller than the foregoing minimum sizes shall be permitted which tolerance shall be applied in accordance with the provisions for the application of tolerance, specified in the revised United States Standards for Grapefruit (California and Arizona) 7 CFR 51.241. *Provided,* That, in determining the percentage of grapefruit in any lot which are smaller than 3 11/16 inches in diameter, such percentage shall be based only on the grapefruit in such lot which are of a size 4 7/16 inches in diameter and smaller; and in determining the percentage of grapefruit in any lot which are smaller than 3 9/16 inches in diameter, such percentage shall be based only on the grapefruit in such lot which are of a size 3 13/16 inches in diameter and smaller.

(2) As used in this section, "handler," "variety," "grapefruit," and "ship" shall have the same meaning as when used in said amended marketing agreement and order; and the terms "U. S. No. 2" and "fairly well colored" shall each have the same meaning as when used in the revised United States Standards for Grapefruit (California and Arizona) § 51.241 of this title.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup. 608c)

Done at Washington, D. C., this 12th day of October 1953.

[SEAL] S. R. SMITH,
Director Fruit and Vegetable Branch, Production and Marketing Administration.

[F. R. Doc. 53-8778; Filed, Oct. 14, 1953; 8:52 a. m.]

TITLE 15—COMMERCE AND FOREIGN TRADE

Chapter III—Bureau of Foreign and Domestic Commerce, Department of Commerce

Subchapter C—Office of International Trade

[6th Gen. Rev. of Export Regs., Amdt. 67[1]]

PART 382—DENIAL OR SUSPENSION OF EXPORT PRIVILEGES

TABLE OF COMPLIANCE ORDERS

Section 382.51 *Table of compliance orders currently in effect denying export privileges,* paragraph (b) *Table of compliance orders* is amended in the following particulars:

a. The following entries are added:

Name and address	Effective date of order	Expiration date of order	Export privileges affected	Federal Register citation
Brunoni, Oscar, Bahnhofstrasse 14, Zurich, Switzerland.	9-10-53	3-10-55	General and validated licenses, all commodities, any destination; also exports to Canada.	18 F. R. 5521, 9-15-53.
Fisher, P., 22 Hanway St., London W. 1, England.	9- 1-53	9- 1-55	do	18 F. R. 5372, 9-4-53.
Gintz, Franz, 22 Hanway St., London W. 1, England.	9- 1-53	9- 1-55	do	18 F. R. 5372, 9-4-53.
Krugel, Joachim Wilhelm, 201 Southerland Ave., London W. 9, England.	9-10-53	9-10-55	do	18 F. R. 5521, 9-15-53.
Ripley & Co., A., 201 Southerland Ave., London W. 9, England.	9-10-53	9-10-55	do	18 F. R. 5521, 9-15-53.
Zemanek & Company, Ltd., 22 Hanway St., London W. 1, England.	9- 1-53	9- 1-55	do	18 F. R. 5372, 9-4-53.

b. The following entries are deleted:

Name and address	Effective date of order	Expiration date of order	Export privileges affected	Federal Register citation
Bialick, William E., 130 Liberty St., New York, N. Y.	3- 7-52	9-7-52 (9-7-53)[1]	Validated licenses, all commodities, any destination; also exports to Canada.	17 F. R. 2137, 3-12-52.
Croton Trading Co., Inc., 130 Liberty St., New York, N. Y.	3- 7-52	9-7-52 (9-7-53)[1]	do	17 F. R. 2137, 3-12-52.
Grabell, James J., 110 Fulton St., New York 7, N. Y.	1-27-53	5-27-53 (9-27-53)[1]	General and validated licenses, all commodities, any destination.	18 F. R. 671, 1-31-53.
Schmoll Fils-Deevy Corp., 110 Fulton St., New York 7, N. Y.	1-27-53	5-27-53 (9-27-53)[1]	do	18 F. R. 671, 1-31-53.

[1] This is the expiration date of a period of suspension held in abeyance. See explanation in paragraph (a) (1) of this section.

This amendment shall become effective as of October 8, 1953.

(Sec. 3, 63 Stat. 7; 65 Stat. 43; 67 Stat. 62; 50 U. S. C. App. Sup. 2023. E. O. 9630, Sept. 27, 1945, 10 F. R. 12245, 3 CFR, 1945 Supp., E. O. 9919, Jan. 3, 1948, 13 F. R. 59, 3 CFR, 1948 Supp.)

LORING K. MACY,
Director
Office of International Trade.

[F. R. Doc. 53-8767; Filed, Oct. 14, 1953; 8:50 a. m.]

TITLE 14—CIVIL AVIATION

Chapter II—Civil Aeronautics Administration, Department of Commerce

[Amdt. 63]

PART 608—DANGER AREAS

ALTERATIONS

The danger area alterations appearing hereinafter have been coordinated with the civil operators involved, the Army, the Navy, and the Air Force, through the Air Coordinating Committee, Airspace Subcommittee, and are adopted to become effective when indicated in order to promote safety of the flying public. Since a military function of the United States is involved, compliance with the notice, procedures, and effective date provisions of section 4 of the Administrative Procedure Act is not required.

Part 608 is amended as follows:

1. In § 608.14, the Knoxville, California, area (D-414), published on July 16, 1952, in 17 F. R. 6428, and amended on August 2, 1952, in 17 F. R. 7072, is deleted.

2. In § 608.15, the Parker, Colorado, area (D-195), published on July 16, 1949, in 14 F. R. 4289, and amended on December 13, 1952, in 17 F. R. 11256, is further amended by changing the "Designated Altitudes" column to read: "Surface to 16,500 feet MSL"

3. In § 608.36, the Tonopah, Nevada, area (D-271), published on July 16, 1949, in 14 F. R. 4293, amended on October 31, 1951, in 16 F. R. 11068, on June 12, 1953, in 18 F. R. 3364, and on August 8, 1953, in 18 F. R. 4704, is further amended by changing the "Time of Designation" column to read: "Continuous"

(Sec. 205, 52 Stat. 984, as amended; 49 U. S. C. 425. Interprets or applies sec. 601, 52 Stat. 1007, as amended; 49 U. S. C. 551)

This amendment shall become effective on October 17, 1953.

[SEAL] F. B. LEE,
Administrator of Civil Aeronautics.

[F. R. Doc. 53-8774; Filed, Oct. 14, 1953; 8:51 a. m.]

[1] This amendment was published in Current Export Bulletin No. 716, dated October 8, 1953.

[Amdt 41]

PART 609—STANDARD INSTRUMENT APPROACH PROCEDURES

ALTERATIONS

The standard instrument approach procedure alterations appearing hereinafter are adopted to become effective when indicated in order to promote safety of the flying public. Compliance with the notice procedures and effective date provisions of section 4 of the Administrative Procedure Act would be impracticable and contrary to the public interest, and therefore is not required

Part 609 is amended as follows:

1 The low frequency range procedures prescribed in § 609 6 are amended to read in part:

LFR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearing, headings, and courses are magnetic. Distances are in statute miles unless otherwise indicated. Elevations and altitudes are in feet, MSL Ceilings are in feet above airport elevation

If an LFR instrument approach is conducted at the below named airport it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure authorized by the Administrator for Civil Aeronautics for such airport Initial approaches shall be made over specified routes Minimum altitude(s) shall correspond with those established for en route operation in the particular area or as set forth below

City and state; airport name, elevation; facility; class and identification; procedure No; effective date	Initial approach to facility from—	Course and distance	Minimum altitude (ft)	Procedure turn (—) side of final approach course (outbound and inbound); altitudes; limiting distances	Minimum altitude over facility on final approach course (ft)	Course and distance, facility to airport	Ceiling and visibility minimums			If visual contact not established at authorized landing minimums after passing facility within distance specified or if landing not accomplished
							Condition	Type aircraft		
								75 m. p h or less	More than 75 m p h	
1	2	3	4	5	6	7	8	9	10	11
GARDEN CITY, KANS. New Garden City, 2,895 SBRAZ-VDT GCK Procedure No 1 Oct. 18, 1953	Garden City VOR	327—5 0	4 000	West side, north course: 348 outbound 168 inbound. 4 000′ within 25 miles	3 500	132—7 5	T-dn C-dn A-dn	300-1 500-2 800-2	300-1 500-2 800-2	Within 7 5 miles, climb to 4 300 on S course within 25 miles
JOPLIN, MO. Joplin, 980′ BMRLZ-VDT, JLN Procedure No 1 Oct 18 1953	Int. N crs. JLN LFR and E crs CNU LFR (Final)	178—7 5	1 600	West side, north course: 358 outbound 178 inbound. 2 000′ within 25 miles	1,600	172—6 2	T-dn C-d C-n S-d S-n 17 A-dn	300-1 500-1 500-1½ 500-1 500-1 800-2	300-1 500-1½ 500-1½ 500-1 500-1½ 800-2	Within 6.2 miles climb to 2 500 on S course within 25 miles CAUTION: High unobstruction lighted trees WNW of airport ADF procedure not authorized
ROCHESTER MINN Rochester, 1,041′ SBMRLZ-VDT-RST Procedure No 1 Oct 1, 1953	Rochester-VOR	069—4	2 400	East side of course: 170 outbound 350 inbound 2 400′ within 10 miles 2 500 within 25 miles	1 900	350—2 6	T-dn C-dn S-dn 35 A-dn	300-1 600-1 500-1 800-2	300-1 600-1½ 500-1 800-2	Within 2.6 miles, climb to 2,800 on N course or if directed by ATC make left climbing turn to 2,800′, proceed out W course RST-LFR within 25 miles
	Stewartville FM (Final)	350—7 8	1 900							

2 The very high frequency omnirange procedures prescribed in § 609 15 are amended to read in part:

VOR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, and courses are magnetic. Distances are in statute miles unless otherwise indicated. Elevations and altitudes are in feet, MSL. Ceilings are in feet above airport elevation.
If a VOR instrument approach is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure authorized by the Administrator for Civil Aeronautics for such airport Initial approaches shall be made over specified routes Minimum altitude(s) shall correspond with those established for an route operation in the particular area or as set forth below

City and state; airport name, elevation; facility; class and identification; procedure No; effective date	Initial approach to facility from—	Course and distance	Minimum altitude (ft)	Procedure turn (—) side of final approach course (outbound and inbound) altitudes; limiting distances	Minimum altitude over facility on final approach course (ft)	Course and distance, facility to airport	Ceiling and visibility minimums			If visual contact not established at authorized landing minimums after passing facility within distance specified, of if landing not accomplished
							Condition	Type aircraft		
								75 m. p. h or less	More than 75 m p h	
1	2	3	4	5	6	7	8	9	10	11
DODGE CITY, KANS Dodge City, 2 691' BVOR-DDC Procedure No 1 Oct 18, 1953	Dodge City BMH	330–6 0	3,700	West side of course: 330 outbound 150 inbound. 3 600' within 25 miles	3,100	150–6 1	T-dn C-d C-n S-d S-n 14 A-dn	300–1 500–1 500–2 500 1 500–2 800 2	300–1 500 1½ 500 2 500–1 500–2 800 2	Within 6.1 miles, climb to 3,900 on outbound course of 150° within 25 miles. CAUTION: 2,731' MSL radio tower 3 miles NW of airport and 1½ miles W of final approach course 2 900' MSL radio tower 3 miles W of airport
GARDEN CITY, KANS. New Garden City, 2 895' BVOR-GCK Procedure No 1 Oct 18, 1953	Garden City LFR	147—5.0	4 300	South side of course: 287 outbound 107 inbound. 4 300' within 25 miles	3,800	107—3 0	T-dn C-d C-n S-d S n 8 or 12 A-dn	300 1 500-1 500-1½ 500-1 NA 800 2	300-1 500 1½ 500-2 500-1 NA 800 2	Within 3 miles, climb to 4,000 on outbound course of 107° within 25 miles. N/S runway lighted only. Deviation from standard criteria authorized in straight in day minimums
ROCHESTER, MINN Rochester, 1,941' BVOR-RST Proc. No. 1 October 1, 1953	Rochester LFR	240—4 5	2,400	South side of course: 215 outbound 035 inbound. 2 400' within 10 miles. 2 500 within 25 miles	1,900	035—5.1	T-dn C-dn A-dn	300 1 600-1 800 2	300-1 600-1½ 800 2	Within 5.1 miles, climb to 2,600' on course of 035° within 25 miles of RST-VOR

These procedures shall become effective upon publication in the FEDERAL REGISTER

(Sec 205 52 Stat 984, as amended; 49 U S C 425 Interpret or apply sec 601, 52 Stat 1007 as amended; 49 U S C 551)

[SEAL]

F B LEE,
Administrator of Civil Aeronautics

[F R Doc 53-8674; Filed Oct. 14 1953; 8:45 a m]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[File No 204-5]

PART 300—RULES AND REGULATIONS UNDER THE WOOL PRODUCTS LABELING ACT OF 1939

UNDETERMINED QUANTITIES OF MAN-MADE AND OTHER FIBERS

In the matter of amending the rules and regulations under the Wool Products Labeling Act of 1939

On July 9, 1953 the Commission issued notice of proposed rule making in the above matter, which notice was duly published in the FEDERAL REGISTER

Such notice contained a copy of the proposed amendment to Rule 28 of the Regulations (16 CFR 300 28) under the Wool Products Labeling Act, and provided that interested parties might participate by submitting to the Federal Trade Commission at its offices in Washington, D C., on or before the 17th day of August, 1953, in writing and in duplicate, their views arguments or other data, either in support of or against the proposed rule, or the form thereof

All written views, arguments and other data submitted have been made a part of the record herein

After due consideration of the matter, together with the views, arguments and other data submitted, Rule 28 of the Regulations (16 CFR 300 28) under the Wool Products Labeling Act of 1939, is hereby amended to read as follows:

§ 300 28 *Undetermined quantities of man-made and other fibers*—(a) *Products containing man-made fibers recovered from textile products* Where a wool product is composed in part of various man-made fibers recovered from textile products containing undetermined quantities of such fibers, the percentage content of the respective fibers recovered from such products may be disclosed on the required stamp, tag or label in aggregate form as "man-made fibers" followed by the naming of such fibers in the order of their predominance by weight, as for example:

60% Wool
40% Man-made fibers:
Rayon
Acetate
Nylon

(b) *Products made wholly of miscellaneous reused fibers of undetermined percentages* Where a wool product is made of shoddy or material composed wholly of reused miscellaneous fibers of which the respective percentages of the different fibers and the variations thereof are not determined, the following form of disclosure as to fiber content of such wool product, where truthfully applicable, may be used for such classes of merchandise, with the proper percentage figures inserted:

Made of Reused material consisting of:

Not less than ..% reused wool;
Not more than ..% cotton
Balance ..% unknown reused fibers

Or

Made of Reused material consisting of:

Not less than ..% reused wool
Not more than ..% rayon
Balance ..% unkown reused fibers

For purposes of this section undetermined or unascertained amounts of wool or reprocessed wool may be classified and designated as reused wool.

(Sec. 6, 54 Stat. 1131; 15 U. S. C. 68d)

The purpose of the amended rule is to afford those subject to the provisions of the Wool Products Labeling Act, relief from the hardships resulting from the difficulty and impracticability of disclosing accurately on required wool product labels the respective percentages by weight of various man-made fibers which have been recovered in blended form from textile products containing undetermined quantities of such fibers. This relief is to be brought about by permitting the percentage content of the recovered man-made fibers to be designated on required labels in the aggregate, followed by the naming of the respective fibers in the order of their predominance by weight.

Issued: October 12, 1953.

By direction of the Commission.

[SEAL] ALEX. AKERMAN, Jr.,
Secretary.

[F. R. Doc. 53-8771; Filed, Oct. 14, 1953; 8:51 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter V—Department of the Army

Subchapter B—Claims and Accounts

PART 535—PAYMENT OF BILLS AND ACCOUNTS

ADVANCE PAYMENTS; MISCELLANEOUS SPECIAL CASES

1. In § 535.7 (a) a new subparagraph (3) is added as follows:

§ 535.7 *Advance payments*—(a) *Advances of public money.* * * *

(3) *Payment of c. o. d. charges.* The payment of c. o. d. charges in cash at the time of receipt of supplies ordered prior to an examination of the contents thereof need not be regarded as a violation of R. S. 3648, where the purchases are made pursuant to the Joint Regulations for Small Purchases Utilizing Imprest Funds.

* * * * *

2. In § 535.9a *Miscellaneous special cases* paragraph (d) *No valid contract,* subparagraph (4) *Quantum meruit* is revoked.

[C2, AR 35-3220, September 25, 1953] (R. S. 161; 5 U. S. C. 22. Interprets or applies R. S. 3477, as amended, R. S. 3737, as amended, 31 U. S. C. 203, 41 U. S. C. 15)

WM. E. BERGIN,
Major General, U. S. Army,
The Adjutant General.

[F. R. Doc. 53-8770; Filed, Oct. 14, 1953; 8:51 a. m.]

Chapter VII—Department of the Air Force

Subchapter J—Procurement Procedures

PART 1011—LABOR

REQUESTS FOR RELAXATION OF STATE LABOR LEGISLATION; DAVIS-BACON ACT

1. Section 1011.104 is changed to read as follows:

§ 1011.104 *Requests for relaxation of State labor legislation*—(a) *Applicability.* This section applies to all Air Force personnel who may be concerned with the receipt of applications from Air Force contractors for relaxation of basic labor standards.

(b) *Definition.* The term "State" as used in this section includes the District of Columbia, territories, and all political subdivisions of States.

(c) *Policy concerning relaxation of State labor standards.* The policy of the Department of Defense is outlined in part, as follows:

(1) The current procurement programs of the Department of Defense place emphasis upon broadening the industrial base by spreading contracts as widely as possible throughout industry. This will provide more toolup facilities for defense production and a larger trained working force to serve as a nucleus for expansion should a greater degree of mobilization be necessary. A drastic lowering of labor standards, continued over an extended period, will tend to affect production adversely because of fatigue, spoilage, inefficient work performance and absenteeism.

(2) Standards governing such matters as maximum daily and weekly hours of employment, meals and rest periods, night work and other conditions of employment have been set forth in State labor laws, regulations, and administrative orders. It is the policy of the Department of Defense that these basic labor standards be observed, to the maximum extent possible, in the effectuation of defense procurement programs. In furtherance of this policy, agencies of the Department of Defense will not initiate applications to State agencies or officials for suspension or relaxation of labor standards. Agencies of the Department of Defense will not, formally or informally, support such applications by contractors or suppliers, except under the following circumstances and conditions:

(i) The interested contractor or supplier has filed his application for relaxation of the laws, orders, or regulations involved with the appropriate State official charged with the enforcement of such labor standards in the State where the plant of the manufacturer involved is located; and

(ii) The products or services involved are in short supply and unless the application is granted there will be a failure to meet production schedules for critically needed military items; and

(iii) There are no alternative sources of supply for such products or services reasonably available to furnish the military items contracted for within the period of time delivery is required; and

(iv) Available information indicates no practicable possibility of taking remedial action (such as recruiting, training, and more effective utilizaton of manpower) as an alternative to relaxation of applicable State labor standards; and

(v) The apparent supply of labor and, in particular, of critical skills is limited and it is not practicable to set up new production lines or to use additional facilities as an alternative to the relief requested; and

(vi) The granting of the application will not result in an excessive increase in hours of work, an unreasonable curtailment of rest and lunch periods, an undesirable impairment of working conditions, or, otherwise, will not affect adversely the productivity of the facility involved.

(3) Action by any agency of the Department of Defense in support of such an application of a contractor or supplier will be in writing and will specify or identify.

(i) The facilities and services involved and affected; and

(ii) The most limited relaxation of State labor standards necessary for completion of the specific work in conformity with military procurement schedules and programs; and

(iii) The approximate period of time required for the completion of the work.

(4) Nothing in this section is intended to preclude agencies of the Department of Defense, consistent with the limitations of security, from furnishing information to the appropriate State official, upon his request, as to the fact that an application for relaxation of State labor standards filed with him relates to the execution of a contract with such agency in pursuance of a military procurement program. Such information should not extend to support of application unless the conditions set forth in subparagraph (2) of this paragraph are satisfied.

(d) *Responsibility for support of applications.* When the circumstances and conditions outlined in paragraph (c) (2) of this section exist, the Commanding General, Air Materiel Command, or his designee, may support contractor's applications in the manner prescribed in paragraph (c) (3) of this section.

CROSS REFERENCE: For section of Armed Services Procurement Regulation which this section implements, see § 411.103 of this title.

2. Subpart D, Davis-Bacon Act, is changed to read as follows:

SUBPART D—DAVIS-BACON ACT

Sec.
1011.401 Applicability.
1011.402 Requirements of the act.
1011.403 Wage rate determinations.
1011.404 Labor standards provisions (29 CFR Part 5).
1011.405 Form of request for authorization of additional classification and rate.

AUTHORITY: §§ 1011.401 to 1011.405 issued under R. S. 161, sec. 202, 61 Stat. 500, as amended; 5 U. S. C. 22, 171a. Interpret or apply 62 Stat. 21; 41 U. S. C. 151-161.

§ 1011.401 *Applicability.* The Davis-Bacon Act (46 Stat. 1494; 40 U. S. C. 276a) applies to all contracts in excess of $2,000 for construction, alteration, and/or repair (including painting and decorating) of a public building or public work, or building or work financed in whole or in part from Federal funds of the United States, accomplished within the geographical limits of the States of the Union, Alaska, and Hawaii, or the District of Columbia, and which require or involve the employment of laborers and/or mechanics at the site of the work.

§ 1011.402 *Requirements of the act—*(a) *Wage rates.* Wage rates paid to laborers and mechanics employed on the site of the work on contracts subject to the act must be not less than those determined by the Secretary of Labor to be prevailing at the time of contract award in the area in which the work is to be performed for the corresponding classes of laborers and mechanics employed on projects of a similar character. A schedule of the wage rates to be paid will be included in the advertised specifications of the contract.

(b) *Method of payment.* Contracts subject to the act must contain a provision that the contractor and/or his subcontractor(s) shall pay all laborers and mechanics employed directly upon the site of the work, unconditionally and not less often than once a week, and without subsequent deductions or rebates on any account, except such payroll deductions as are permitted by the regulations prescribed by the Secretary of Labor, the full amounts accrued at time of payment, computed at wage rates not less than those stated in the advertised specifications.

(c) *Posting of wage rates.* Contracts subject to the act must contain a provision that the scale of wages to be paid must be posted by the contractor in a prominent place at the site(s) of the work where it can easily be seen by the workers.

§ 1011.403 *Wage rate determinations—*(a) *Description.* The wage rate determination is a schedule of the minimum hourly rates of wages which are to be paid laborers and mechanics employed by the contractor and/or his subcontractor(s) performing any or all the work called for by the contract. It normally includes all the classifications of laborers and mechanics expected to be employed on the work. It is issued as a decision of the Secretary of Labor and provides for a 90-day period in which the contracts may be advertised and awarded. During this 90-day period, it is subject to such changes or modifications as may be issued by the Secretary of Labor. The determination cannot be extended beyond the expiration date and if the contract(s) for which the determination was secured has/have not been awarded by the expiration date a new determination must be obtained.

(b) *Types of determinations—*(1) *Area (54A) determinations.* These determinations provide wage rates for all contracts which may be awarded for work at an installation or within a given geographical area (usually a county) during the 90-day life of the determination. These determinations contain all the classifications of laborers and mechanics usually needed for construction work. Headquarters USAF maintains the area determination on a continuous basis by requesting a new determination from the Department of Labor prior to the expiration of the current determination. Determinations will be limited to those installations where the volume of contracts being executed makes it impracticable to obtain determinations on an individual basis, as described in subparagraph (2) of this paragraph. An installation must be executing at least four contracts per quarter, each requiring a wage determination, in order to justify the maintenance of an area determination. The area determination will not be maintained for installations other than bases or facility plants, except upon unusual showing.

(2) *Individual determinations.* These determinations are provided by the Department of Labor for a single contract. Such a determination must be obtained for each contract subject to the Davis-Bacon Act unless an area (54A) determination applicable to the location of the work has been established with the Department of Labor. The classifications of laborers and mechanics in these determinations are limited to those classes employed on the type of work required by the contract, and as indicated in the request.

(c) *Changes.* During the 90-day period of the determination the Secretary of Labor may issue a decision effecting changes in the original determination. Such actions changing or modifying an original determination prior to award of the contract or contracts for which the determination was sought shall be applicable thereto, but modifications received by Headquarters USAF later than five days before opening of the bids shall not be effective if the award is made within 30 days after opening of the bids or 90 days from the date of the original determination, whichever is earlier. The date changes received by Headquarters USAF shall be the date used in the field in determining whether the change must be considered in the bidding or whether the rates contained in the original determination may still be used. Accordingly, all determinations received in Headquarters USAF are time-date stamped to indicate the date received. If the date stamped on a change or on a renew area determination is more than five days prior to the bid opening, such change or renewed determination must be incorporated in the contract.

(d) *Procedures for obtaining wage rate determinations.* All requests for determinations, and correspondence or inquiries relating thereto, will be forwarded to the Director of Procurement and Production Engineering, Headquarters USAF Washington 25, D. C. Headquarters USAF will obtain the requested wage rate determination from the Department of Labor and forward it to the requesting agency. Requests for individual determinations will be prepared and forwarded on Department of Labor Form DB–11 (revised 7/52), "Requests for Determination."

(e) *Timing of request for determination.* The Department of Labor requires a minimum of 30 days to issue a wage rate determination. In addition to the 30 days required by the Department of Labor, the requesting office should allow for transmittal time in forwarding requests. Normally, requests should be forwarded 35–45 days before the date the determination is needed. Requests for a determination to be furnished in less than 35 days will be accompanied by a letter of explanation.

(f) *Use of the wage rate determination.* Every contract, all or part of which contemplates work subject to the Davis-Bacon Act, will contain a copy of a current wage rate determination. Contracting officers will not accept purchase requests covering projects subject to the act until the required determination has been obtained and incorporated in the specifications. Contracts may be advertised up to the expiration date of the determination; however, bids will not be opened after expiration until a new determination has been received and bidders advised of changes therein. Upon incorporation in the prime contract, the wage rate determination is applicable to all work performed thereunder, except that a new determination is required if the prime contract is amended to include additional or new work.

(1) *Classifications of laborers and mechanics.* The determination should include all of the classifications of laborers and mechanics expected to be employed on the work. If a classification is omitted in the determination, or the need for an additional classification arises prior to contract award, an emergency request for a supplementary determination should be forwarded to Headquarters USAF. If the contractor requests the use of additional classifications after award of the contract, or the Department of Labor does not furnish a wage rate for a classification requested, the procuring activity may authorize the contractor to employ such classifications on the work: *Provided,* That they are bona fide classifications and the wage rates to be paid are the prevailing wage rates in the area. The contractor will be required to furnish a signed request for authorization to use such classifications, together with suitable information supporting the prevailing wage rates to be paid. This request will be submitted by letter, in triplicate, and must be in a form similar to that shown in § 1011.405. After the procuring activity has indicated approval on the request, one copy will be returned to the contractor, one copy will be made a part of the contract records, and one copy will be forwarded to Headquarters USAF. If disagreement or doubt exists as to the proper classification or wage rate, the question, together with a specific description of the work to be performed by the classification, will be referred to Headquarters USAF for transmittal to the Department of Labor for final decision.

(2) *Fixed-price contracts (formally advertised and/or negotiated).* Once a contract is awarded, the wage rates contained in the specifications are the minimum rates that can be paid by the contractor or his subcontractors during

the life of the contract. Such rates are not applicable, however, to additional or new work not contained in the original specifications. A new determination must be obtained for such work and incorporated in the contract.

(3) *CPFF contracts and subcontracts.* The wage rates established for and included in cost-plus-fixed-fee prime or subcontracts (including time and materiels contracts) in accordance with the Davis-Bacon Act are the minimum rates that can be paid during the life of the contract. Reimbursement to CPFF contractors and subcontractors for wages paid to laborers and mechanics are based on this wage schedule. The policy of the Air Force is to reimburse labor costs computed at rates not higher than those found prevailing in the area for the classifications of workers engaged in work of a similar nature. Thus all applications of CPFF prime and subcontractors to utilize higher wage rates require specific approval from the contracting officer. The contracting officers' approval will be based upon receipt of substantiating data in support of the contractor's request, such as: Proposed wage rates were established as a result of bona fide collective bargaining in which the contractor participated or to which he adheres as a general practice or as a result of membership in contractors' organizations; proposed wage rates have approval of any existing wage stabilizing body established pursuant to Federal law and payment of wages at higher rates is required to man the job. Subcontracts awarded pursuant to a CPFF contract shall include wage rates prevailing at the time of the subcontract award.

§ 1011.404 *Labor standards provisions (29 CFR Part 5)*—(a) *Responsibility.* It shall be the responsibility of the respective commands to administer contracts subject to the applicable labor statutes in accordance with the labor standards provisions of (29 CFR Part 5) Special labor problems arising in connection with the administration of the applicable standards may be referred to the Commander, Air Materiel Command.

(b) *Administration and enforcement.* Prior to the approval of payment on any contract subject to 29 CFR Part 5 there shall be such examinations into the records and activities of the contractor and/or his subcontractor(s) as are necessary to insure full compliance with the applicable labor statutes and with the labor standards provisions of 29 CFR, Part 5.

(1) *Preconstruction letter or conference.* The contractor should be notified of his responsibilities regarding compliance with the labor standards of the contract by a preconstruction letter or conference. This letter or conference should point out that the contract is subject to the following labor statutes and regulations:

(i) *Davis-Bacon Act.* This act requires in part the payment of the minimum wage rates set forth in the specifications and posting of the wage schedule in a prominent and easily accessible place at the site(s) of the work.

(ii) *Eight-Hour Law.* This law requires the payment for hours worked in excess of eight hours in any one day at the rate of not less than one and one-half times the straight hourly rates.

(iii) *Copeland Anti-Kickback Act.* This act requires the full payment of all earned wages without any rebates or deductions unless approved by the Secretary of Labor and requires the submission of an affidavit attesting to the compliance of the contractor to its provisions.

(iv) *Regulations of the Secretary of Labor* The regulations contained in 29 CFR, Part 5, prescribe standards for compliance and enforcement of labor standards incorporated in the contract.

(v) *List of subcontractors.* The prime contractor shall submit to the contracting officer a list of all subcontractors and sub-subcontractors to be engaged in work at the site, indicating names and addresses, amount of subcontract, and nature of work involved.

(vi) *Classifications and wage rates not included in the specifications.* Prior to the use of any classification and wage rate not included in the contract, the contractor shall submit a request for the approval of such classifications and wage rates. This request for approval will be made by letter and in a form similar to that indicated in § 1011.405. Upon approval by the contracting officer, the contractor may use the classification and/or rate requested. If the classification or rate cannot be agreed upon, the question must be submitted through Headquarters USAF to the Department of Labor for a final determination.

(vii) *Use of apprentices.* Apprentices may be employed on the work only under a bona fide apprenticeship program registered with a State Apprenticeship Council which is recognized by the Federal Committee on Apprenticeship, Department of Labor, or, if no such recognized council exists in the State, the apprentices must be registered under a program with the Bureau of Apprenticeship, Department of Labor. A copy of the apprenticeship, registration certificate, or a certification by the contractor that his apprentices are properly registered, shall be furnished to the contracting officer, together with the first copies of the payrolls upon which such apprentices are listed. The number of persons employed in the classificiation of apprentice may not exceed the ratio approved for the program.

(viii) *Payrolls.* The prime contractor shall submit and cause all his subcontractors to submit to the contracting officer copies of payrolls showing all laborers and mechanics engaged on the contract at the site of the work, including names, classifications, hours worked each day, total hours each week, rate of pay, total wages, deductions from wages, and net amount of wages. The addresses of all employees listed on the payrolls shall be submitted with the payrolls on which their names first appear. A listing of employees or copies of hiring slips with appropriate data will suffice for this purpose.

(ix) *Affidavits.* The prime contractor and his subcontractors will submit with each payroll a sworn affidavit in the form prescribed by the Anti-Kickback Regulations (29 CFR Part 3) attesting to his compliance with the labor standards provisions of the contract. The receipt of these affidavits is made a condition precedent to payment for any amounts due under the contract. These affidavits and the accompanying payrolls shall be submitted within seven days after the regular payment date of the payroll period covered.

(x) *Preservation of records.* Payrolls submitted and payroll records of the contractor and subcontractors shall be neat and legible. The contractor and subcontractors are required to maintain their payroll records available for inspection by the Air Force or the Department of Labor during the performance of the contract and for a period of three years from date of completion of the contract.

(2) *Routine checking for compliance*—(i) *Examination of payroll records.* On smaller jobs lasting six weeks or less all payrolls will be given a spot check to determine compliance. On larger jobs the first payrolls submitted will be examined and thereafter not less than once a month. These checks should verify that:

(*a*) Required payrolls have been received and are complete as to affidavits.

(*b*) Hourly wage rates shown on the payrolls are not less than the wage rates prescribed in the contract.

(*c*) Any time worked in excess of eight hours in any one day is being paid for at the rate of one and one-half times the hourly rate.

(*d*) All classifications listed on the payrolls conform to the classifications listed in the wage determination, or to those authorized by the contracting officer in addition to the determination. If the payrolls show a disproportionate number of laborers or apprentices employed in relation to journeymen, a check will be made at the site of the work to determine that such classifications are not being used to perform journeymen's work.

(*e*) Records contain a certificate of registration, or a certificate from the contractor, showing that the apprentices listed on the payrolls are registered in an approved apprenticeship program, and that the number of persons employed in the classification of apprentice does not exceed the ratio approved for the program.

(ii) *Field checking.* Sufficient examinations will be made at the site(s) of the work to determine that:

(*a*) Wage rates contained in the contract are posted in a conspicuous and accessible place where they can be easily seen by the workers.

(*b*) Employees are performing work according to the classifications at which they are listed on the payrolls. This should be done on a sampling basis, and as deemed necessary.

(*c*) Wage rates contained in the contract specifications are actually being paid to the employees in the amounts shown on the contractor's payrolls. This information should be obtained by interviewing employees on a sampling basis.

(3) *Special investigations.* Special investigations will be made when routine checks indicate the necessity therefor, or upon receipt of a complaint of violation, or when requested by Headquarters USAF. Such investigations should follow the steps outlined for routine checks, except that examinations into the contractor's records and activities will be made in detail.

(i) Minor discrepancies which in the opinion of the investigator are nonwilful will be corrected by the contractor at the direction of the contracting officer. Such actions do not require a report; however, the record of any such action will be made a part of the payroll records.

(ii) When the investigator has completed his examination of the employer's pertinent records, interviewed representative employees, and obtained all the facts necessary to determine the extent of the contractor's compliance or noncompliance, he shall report his findings to the contracting officer, who, when appropriate, will confer with the contractor and inform him generally of the investigation, indicating that these findings are based solely on the facts and information disclosed by the investigation. He will also detail to the contractor specifically what must be done to eliminate the violations, if any, and request from the contractor any available informational material, in addition to that already given, which the investigation has developed may be needed.

(a) *Settlement by restitution.* In accordance with 29 CFR Part 5, where violations of the labor standards stipulations required by the regulations and the applicable statutes result in underpayments of wages, and if such underpayments are found to be nonwilful, restitution may be ordered by the contracting officer to be made to all the employees involved. Computation of the amounts of back wages may be made by the contractor and checked by the contracting officer. Upon completion of computations, a summary sheet listing names, addresses, and the unpaid amounts payable to the employees involved should be prepared by the contractor, a copy of which will be furnished to the contracting officer. The contracting officer shall advise the contractor of the procedure which will satisfy him conclusively that proper restitution has been made, particularly the witnessing of cash payments, or the furnishing of canceled checks. Sufficient contract funds shall be withheld from contract payments until restitution payments have been completed.

(b) *Ineligible list or criminal cases.* When a case develops where the ineligibility sanctions described in 29 CFR 5.6 (c) may be applied, or in which criminal action might be undertaken under 29 CFR 5.9 (b) no attempts should be made to effect restitution. Sufficient contract funds will be withheld from contract payments to cover any required restitution payments or penalties. In such instances the evidence developed by the investigation, including payroll records or transcriptions, employee interviews and reports should be completely accurate and factual. Upon receipt and review of the report of such cases, Headquarters USAF will issue further instructions concerning any continuing action required under either or both of these sections of 29 CFR Part 5.

§ 1011.405 *Form of request for authorization of additional classification and rate.* The form of the letter request for authorization of additional classifications and rates is as follows:

_____
(Date)

Subject: Request for Authorization of Additional Classification and Rate.

To: (Contracting Officer).

In order to accomplish the work provided for under Contract No. ____, dated _____, it is necessary to establish the following rate(s) for the indicated classification(s) not included in the wage rate decision of the Secretary of Labor No. ____, dated _____. The signatures upon this request indicate mutual agreement as to the classification(s) and rate(s).

Rate

_____
(Representative of Contractor)

(Classification)

_____
(Representative of Labor)

_____
(Contracting Officer)

(AFL 70-102D; AFM 70-6, as amended) (R. S. 161, sec. 202, 61 Stat. 500, as amended; 5 U. S. C. 22, 171a. Interpret or apply 62 Stat. 21; 41 U. S. C. 151-161)

[SEAL] K. E. THIEBAUD,
Colonel, U. S. Air Force,
Air Adjutant General.

[F. R. Doc. 53-8749; Filed, Oct. 14, 1953; 8:46 a. m.]

TITLE 32A—NATIONAL DEFENSE, APPENDIX

Chapter XIV—General Services Administration

[Revision 1, Amdt. 3]

REG. 10—COLUMBIUM-TANTALUM PURCHASE PROGRAM

REDESIGNATION AND DURATION OF PROGRAM

1. This regulation, heretofore codified in Chapter XXIII of Title 32A of the Code of Federal Regulations, shall be hereafter codified in Chapter XIV of Title 32A of the Code of Federal Regulations.

2. Pursuant to the authority vested in me by Executive Order 10480, dated August 14, 1953 (18 F. R. 4939) this regulation, as revised and amended, is further amended as follows:

a. Delete the designation "Reg. 1—Columbium-Tantalum Purchase Program" and in lieu thereof substitute the following: "Reg. 10—Columbium-Tantalum Purchase Program."

b. Delete, in its entirety, subsection (a) of section 2, which reads: "(a) 'Administrator' means the Administrator of the Defense Materials Procurement Agency." and in lieu thereof substitute the following: "(a) 'Administrator' means the Administrator of General Services."

c. Delete, in its entirety, section 3 and in lieu thereof substitute the following:

SEC. 3. *Duration of the program.* The program, as it applies to columbium-tantalum bearing ores and concentrates of domestic origin (defined herein as ores mined and concentrates produced from ores mined within the United States, its Territories or Possessions) shall terminate and be of no further force or effect as of the close of business on December 31, 1958. The program, as it applies to columbium-tantalum bearing ores and concentrates of foreign origin, shall terminate and be of no further force or effect as of the close of business on December 31, 1956: *Provided, however* That the Administrator may terminate the program, as it applies to columbium-tantalum bearing ores and concentrates of both domestic and foreign origin, as of the date when the Government has purchased 15,000,000 pounds of contained combined pentoxides (Cb_2O_5 plus Ta_2O_5).

(Sec. 704, 64 Stat. 816, as amended, Pub. Laws 95, 206, 83d Cong.; 50 U. S. C. App. Sup. 2154)

All other provisions of this regulation remain in full force and effect.

This amendment is effective immediately.

Dated: October 9, 1953.

EDMUND F. MANSURE,
Administrator

[F. R. Doc. 53-8761; Filed, Oct. 13, 1953; 1:10 p. m.]

Chapter XXIII—Defense Materials Procurement Agency

EDITORIAL NOTE: The regulations appearing in this chapter have been transferred to Chapter XIV of this title.

For Amendment of Columbium-Tantalum Purchase Program, see Chapter XIV of this title, *supra.*

TITLE 39—POSTAL SERVICE

Chapter I—Post Office Department

PART 150—PROCEDURES OF THE POST OFFICE DEPARTMENT

ENVELOPE VARIETIES AND PRICES

Correction

In F. R. Doc. 53-8336, appearing at page 6317 of the issue for October 2, 1953, the following change should be made:

In § 150.1903 (a) under "Dimensions of Envelopes" the figure "3½''" for No. 13 should read "3¾''"

TITLE 43—PUBLIC LANDS: INTERIOR

Chapter I—Bureau of Land Management, Department of the Interior

Appendix—Public Land Orders

[Public Land Order 918]

COLORADO

RESERVING CERTAIN PUBLIC LANDS IN CONNECTION WITH HOT SULPHUR WINTER DEER-ELK RANGE

Whereas the act of September 2, 1937 (50 Stat. 917; 16 U. S. C. 669-669j) pro-

vides for Federal aid to States in wildlife-restoration projects; and

Whereas the State of Colorado has established a Federal-aid wildlife-restoration project, and has acquired title to certain lands in Grand County which lands are administered by the State of Colorado through its Game and Fish Commission as the Hot Sulphur Winter Deer-Elk Range; and

Whereas certain public lands of the United States within the project possess wildlife value and could be administered advantageously in connection therewith; and

Whereas the act of March 10, 1934, as amended by the act of August 14, 1946 (48 Stat. 401, 60 Stat. 1080; 16 U. S. C. 661–666c) authorizes the Secretary of the Interior to cooperate with Federal, State, and other agencies in developing a nation-wide program of wildlife conservation and rehabilitation;

Now, therefore by virtue of the authority vested in the President, and pursuant to Executive Order No. 10355 of May 26, 1952, it is ordered as follows:

Subject to valid existing rights, the public lands of the United States within the following-described areas in Grand County, Colorado, are hereby withdrawn from all forms of appropriation under the public-land laws, including the mining laws but not the mineral-leasing laws, and reserved under the jurisdiction of the Department of the Interior under such conditions as may be prescribed by the Secretary of the Interior, for use by the Game and Fish Commission of the State of Colorado in connection with the Hot Sulphur Winter Deer-Elk Range:

SIXTH PRINCIPAL MERIDIAN

T. 1 N., R. 78 W.,
SEC. 15, N½, N½NW¼SW¼, SW¼NW¼SW¼, N½NW¼SE¼NW¼SW¼, E½SE¼NW¼SW¼, W½SW¼SW¼, S½NW¼NE¼SW¼SW¼, SE¼SW¼SW¼, SW¼NE¼SW¼SW¼ E½NE¼SW¼SW¼, E½SW¼, and SE¼.
SEC. 21, N½N½ and S½NE¼.
SEC. 22, NW¼ and W½SW¼.

The areas described aggregate 1,115.00 acres.

This order shall take precedence over but not otherwise affect the departmental order of April 8, 1935, establishing Colorado Grazing District No. 2, so far as it affects the above-described lands.

FRED G. AANDAHL,
Assistant Secretary of the Interior

OCTOBER 8, 1953.

[F. R. Doc. 53-8750; Filed, Oct. 14, 1953; 8:46 a. m.]

TITLE 50—WILDLIFE

Chapter I—Fish and Wildlife Service, Department of the Interior

PART 17—LIST OF AREAS

FEDERAL AID AREAS

EDITORIAL NOTE: For an addition to the tabulation in § 17.7, see Public Land Order 918 in the Appendix to Title 43, Chapter I, *supra*, reserving certain public lands in Colorado in connection with the Hot Sulphur Winter Deer-Elk Range.

PROPOSED RULE MAKING

DEPARTMENT OF AGRICULTURE

Production and Marketing Administration

[7 CFR Part 52]

CUCUMBER PICKLES

U. S. STANDARDS FOR GRADES [1]

Notice is hereby given that the United States Department of Agriculture is considering the revision, as herein proposed, of United States Standards for Grades of Cucumber Pickles, pursuant to the authority contained in the Agricultural Marketing Act of 1946 (60 Stat. 1087; 7 U. S. C. 1621, et seq.) and the Department of Agriculture Appropriation Act, 1954 (Pub. Law 156; 83d Cong., approved July 28, 1953) This revision, if made effective, will be the second issue by the Department of grade standards for this product.

All persons who desire to submit written data, views, or arguments for consideration in connection with the proposed revision should file same, in duplicate, with the Chief, Processed Products Standardization and Inspection Division, Fruit and Vegetable Branch, Production and Marketing Administration, United States Department of Agriculture, Washington 25, D. C., not later than 60 days after publication hereof in the FEDERAL REGISTER.

The proposed revision is as follows:

§ 52.558 *Cucumber pickles.* "Cucumber pickles" means the pickled product prepared from clean, sound, fresh, immature cucumbers which have been cured by natural fermentation in a solution of common salt with or without the addition of dill herbs and processed or preserved in a liquid packing medium which may be seasoned with a nutritive sweetening ingredient, salt, a vinegar or vinegars, spices or flavoring or both, and onions or garlic or both, and with or without other seasoning or flavoring ingredients to give the product a flavor and characteristics of the respective type, with or without the addition of any other ingredient or ingredients which may be permissible under the provisions of the Federal Food, Drug, and Cosmetic Act. Cucumber pickles may be processed or preserved with or without the addition of other pickled vegetables which have been cured as aforesaid.

(a) *Styles of cucumber pickles.* (1) "Whole" or "whole pickles" means cucumber pickles consisting of whole cucumbers.

(2) "Slices" or "sliced" means cucumber pickles consisting of units irrespective of whether such units are cut at right angles to the longitudinal axis into units of approximately equal thickness or cut longitudinally into halves, quarters, eighths, or into units with parallel surfaces. "Cross cut" means slices of cucumber pickles cut at right angles to the longitudinal axis.

(3) "Cut" or "cut pickles" means cucumber pickles which are not uniform in size or shape or which do not conform to any of the foregoing styles.

(4) "Finely cut" or "finely chopped pickles" means cucumber pickles which have been finely cut or finely chopped.

(5) "Unit" means an individual cucumber pickle or pickle ingredient or portion of either in cucumber pickles.

(b) *Types of cucumber pickles*—(1) *Dill or dill pickles.* Dill pickles are of two classifications:

(i) *Dills or dill pickles.* Dill pickles consist of cucumber pickles prepared from fresh immature cucumber cured by natural fermentation in a solution of common salt with dill herb, with or without dill flavoring packed in a liquid packing medium, with or without additional spices, spice flavorings, or other seasonings or flavoring ingredients. Dill herb and other herbs may be added.

(ii) *Processed dills and processed dill pickles.* Processed dill pickles consist of cucumber pickles prepared from fresh immature cucumbers cured by natural fermentation in a solution of common salt packed in a liquid packing medium containing dill flavored brine, a vinegar or vinegars, spices, spice flavoring, or other seasoning or flavoring ingredients. Dill herb and other herbs may be added.

(2) *Sour pickles.* Sour pickles consist or sour cucumber pickles packed in a liquid packing medium to which has been added salt, a vinegar or vinegars, with or without the addition of spices, spice flavoring, or other seasoning or flavoring ingredients.

(3) *Sweet pickles.* Sweet pickles consist of sweet cucumber pickles packed in a liquid packing medium to which has been added a nutritive sweetening ingredient, salt, a vinegar or vinegars, with or without the addition of spices, spice flavoring, or other seasoning or flavoring ingredients.

(4) *Mixed pickles.* (i) Mixed pickles consist of mixed cucumber pickles which may be of any of the foregoing styles except finely cut or finely chopped cucumber pickles to which has been added onions and cut cauliflower, with or without the addition of red peppers, pimientos, or pieces of red peppers or pimientos packed in a liquid packing medium, with or without the addition of a nutritive sweetening ingredient, salt, a vinegar or

[1] The requirements of these standards shall not excuse failure to comply with the provisions of the Federal Food, Drug, and Cosmetic Act.

vinegars, with or without the addition of spices, spice flavoring, and other seasoning or flavoring ingredients.

(ii) *Proportions of ingredients.* It is recommended that mixed pickles consist of the pickle ingredients in the following proportions:

Ingredients:	Percent by weight
Cucumber	60 to 80.
Cauliflower	10 to 30.
Onions	5 to 10.
Red peppers or pimientos	Optional ingredient.

(iii) Mixed pickles are of two classifications:

(a) *Sour mixed pickles.* Sour mixed pickles consist of mixed cucumber pickles packed in a liquid packing medium to which has been added salt, a vinegar or vinegars, with or without the addition of spices, spice flavoring, or other seasoning or flavoring ingredients.

(b) *Sweet mixed pickles.* Sweet mixed pickles consist of mixed cucumber pickles packed in a liquid packing medium to which has been added salt, a vinegar or vinegars, a nutritive sweetening ingredient, with or without the addition of spices, spice flavoring, and other seasoning or flavoring ingredients.

(5) *Chow chow pickle.* (i) Chow chow pickle consists of chow chow cucumber pickle which may be of any of the foregoing styles, except finely cut or finely chopped cucumber pickles, to which has been added onions and cut cauliflower, with or without the addition of red peppers or pimientos, or pieces of red peppers or pimientos, packed in a sauce of proper consistency, with or without the addition of a nutritive sweetening ingredient, salt, a vinegar or vinegars, and mustard, with or without the addition of spices, spice flavoring, and other seasoning or flavoring ingredients.

(ii) *Proportions of ingredients.* It is recommended that chow chow pickle consist of the pickle ingredients in the following proportions:

Ingredients:	Percent by weight
Cucumbers	60 to 80.
Cauliflower	10 to 30.
Onions	5 to 10.
Red peppers or pimientos	Optional ingredient.

(iii) Chow chow pickle is of two classifications:

(a) *Sour chow chow pickle.* Sour chow chow pickle consists of chow chow cucumber pickle packed in a sauce of proper consistency, to which has been added salt, a vinegar or vinegars, and mustard, with or without the addition of spices, spice flavoring, and other seasoning or flavoring ingredients.

(b) *Sweet chow chow pickle.* Sweet chow chow pickle consists of chow chow cucumber pickle packed in a sauce of proper consistency, to which has been added salt, a vinegar or vinegars, mustard, a nutritive sweetening ingredient, with or without the addition of spices, spice flavoring, and other seasoning or flavoring ingredients.

(6) *Sweet pickle relish.* (i) Sweet pickle relish consists of finely cut or finely chopped sweet cucumber pickle relish, to which may be added cauliflower, onions, with or without the addition of green tomatoes, red peppers or pimientos, packed in a liquid packing medium, with the addition of salt, a vinegar or vinegars, a nutritive sweetening ingredient, with or without the addition of spices, spice flavoring, and other seasoning or flavoring ingredients.

(ii) *Proportions of ingredients.* It is recommended that sweet pickle relish consist of the pickle ingredients in the following proportions:

Ingredients:	Percent by weight
Cucumbers	60 to 100.
Cauliflower [1]	10 to 30.
Onions [1]	5 to 10.
Green tomatoes	([2]).
Red peppers or pimientos	Optional ingredient.

[1] Optional.

[2] Optional—not to exceed 10 percent, by weight, when used in lieu of equal quantities of cauliflower.

(c) *Grades of cucumber pickles.* (1) "U. S. Grade A" or "U. S. Fancy" is the quality of cucumber pickles that possess similar varietal characteristics; that possess a very good favor that possess a good color; that are practically uniform in size and shape; that are practically free from defects; that possess a good texture; and that for those factors which are scored in accordance with the scoring system outlined in this section the total score is not less than 85 points: *Provided,* That the cucumber pickles may be fairly uniform in size and shape if the total score is not less than 85 points.

(2) "U. S. Grade C" or "U. S. Standard" is the quality of cucumber pickles that possess similar varietal characteristics; that possess a good flavor; that possess a fairly good color; that are fairly uniform in size and shape; that are fairly free from defects; that possess a fairly good texture; and that for those factors which are scored in accordance with the scoring system outlined in this section the total score is not less than 70 points: *Provided,* That the cucumber pickles may fall below the requirements of fairly uniform in size and shape if the total score is not less than 70 points.

(3) "Substandard" is the quality of cucumber pickles that fail to meet the requirements of U. S. Grade C or U. S. Standard.

(d) *Recommended fill of container.* The recommended fill of container is not incorporated in the grades of the finished product since the fill of container, as such, is not a factor of quality for the purpose of these grades. It is recommended that each container be filled as full as practicable with cucumber pickles without impairment of quality, that the product be entirely covered with the packing medium, and that the product and packing medium occupy not less than 90 percent of the total capacity of the container.

(e) *Recommended minimum drained weight.* (1) The minimum drained weight recommendations in Table No. I of this section are not incorporaed in the grades of the finished product, since drained weight, as such, is not a factor of quality for the purpose of these grades. The drained weight of all types of cucumber pickles, except chow chow pickles, is determined by emptying the contents of the container upon a United States Standard No. 8 sieve of proper diameter so as to distribute the product evenly, inclining the sieve to facilitate drainage and allow to drain for two minutes. The drained weight is the weight of the sieve and the pickles less the weight of the dry sieve. A sieve 8 inches in diameter is used for one-quart and smaller size containers and a sieve 12 inches in diameter is used for containers larger than one quart in size.

(2) The drained weight of chow chow cucumber pickle is determined by emptying the contents of the container upon a United States Standard No. 8 sieve of proper diameter so as to distribute the product evenly. Wash off all adhering sauce under a spray of water at room temperature (20° C.–68° F.) Incline the sieve to facilitate drainage and allow to drain for two minutes. Calculate drained weight and follow requirements with respect to size and diameter of sieve as specified in this section.

TABLE No. I—RECOMMENDED MINIMUM DRAINED WEIGHTS, IN OUNCES, OF PICKLES

Container designation	Dimension	Capacity (fluid ounces)	Whole sour and dill	Whole sweet	Sliced cross cut mixed chow chow sour	Sliced cross cut mixed chow chow sweet	Relish sweet
Pint jar		16.5		12	10	12	14
Quart jar		32.62	21	22	22	24	28
Gallon jar		120.5	84	90	90	95	125
No. 303 jar		17.0			10	11	15
No. 303	303 x 406	16.2			10	11	15
No. 2½ jar		28.3	19			21	28
No. 2½	401 x 411	28.5	19	19.25		21	28
No. 10 jar		105.62	66	72	72	76	100
No. 10	603 x 700	105.1	66	72	72	76	100
No. 12	603 x 812	152.8	84	90	90	95	125

(f) *Sizes of cucumber pickles in whole cucumber pickles.* The size of any whole cucumber pickle is determined by measuring the shortest diameter transverse to the longitudinal axis at the thickest portion of the pickle and by measuring the distance from stem to blossom end.

(g) *Sizes of cross cut or sliced cucumber pickles.* The size or any unit cut at right angles to the longitudinal axis is determined by measuring the shortest diameter of the surface of the unit. The size of any unit cut longitudinally is determined by measuring the longest distance parallel to the longitudinal axis.

(h) *Ascertaining the grade.* (1) *Requirements.* The grade of cucumber pickles is ascertained by considering the requirements with respect to varietal characteristics and flavor, which are not scored and the factors of color, uniformity of size and shape, absence of defects, and texture, which are scored.

(2) *Very good flavor* (i) "Very good flavor" means that the product possesses a fine characteristic normal flavor for the type of pickle, and meets the following additional requirements for the type indicated:

(*a*) *Dill or dill pickles.* Dill pickles meet the following requirements with respect to the classification indicated.

(*1*) *Dills or dill pickles.* After equalization, the packing medium contains not less than 0.6 gram of acid (calculated as lactic) per 100 milliliters and the salt content is not less than 10 degrees nor more than 18 degrees Salometer at 20° C. (68° F.)

(*2*) *Processed dills or processed dill pickles.* After equalization, the packing medium contains not less than 0.6 gram of acid (calculated as acetic) per 100 milliliters and the salt content is not less than 10 degrees nor more than 18 degrees Salometer at 20° C. (68° F.)

(*b*) *Sour pickles.* After equalization, the packing medium contains not less than 2.0 grams nor more than 2.6 grams of acid (calculated as acetic) per 100 milliliters, and the salt content is not less than 10 degrees nor more than 18 degrees Salometer at 20° C. (68° F.)

(*c*) *Sweet pickles.* After equalization, the density of the packing medium is not less than 19 degrees Baumé (34.5 degrees Brix) at 20° C. (68° F.) and contains not more than 3.0 grams of salt (NaCl) per 100 milliliters, and not less than 2.0 nor more than 2.6 grams of acid (calculated as acetic) per 100 milliliters.

(*d*) *Cut, cross cut, sliced, mixed pickles.* Cut pickles and mixed pickles meet the following requirements with respect to the classification indicated:

(*1*) *Sour cut, cross cut, sliced, sour mixed pickles.* After equalization, the packing medium contains not less than 2.0 grams nor more than 2.6 grams of acid (calculated as acetic) per 100 milliliters, and the salt content is not less than 10 degrees nor more than 18 degrees Salometer at 20° C. (68° F.)

(*2*) *Sweet cut, cross cut, sliced, sweet mixed pickles.* After equalization, the density of the packing medium is not less than 19 degrees Baume (34.5 degrees Brix) at 20° C. (68° F.) and contains not more than 3.0 grams of salt (NaCl) per 100 milliliters, and not less than 2.0 grams nor more than 2.6 grams of acid (calculated as acetic) per 100 milliliters.

(*e*) *Chow chow pickle.* Chow chow pickle meets the following requirements with respect to the classification indicated:

(*1*) *Sour chow chow pickle.* After equalization, the packing medium contains not less than 2.0 grams nor more than 2.6 grams of acid (calculated as acetic) per 100 milliliters, and not more than 3.0 grams of salt (NaCl) per 100 milliliters.

(*2*) *Sweet chow chow pickle.* After equalization, the density of the packing medium is not less than 19 degrees Baumé (34.5 degrees Brix) at 20° C. (68° F.) and contains not more than 3.0 grams of salt (NaCl) per 100 milliliters, and not less than 2.0 grams nor more than 2.6 grams of acid (calculated as acetic) per 100 milliliters.

(*f*) *Sweet pickle relish, finely cut or finely chopped.* After equalization, the density of the packing medium is not less than 19 degrees Baume (34.5 degrees Brix) at 20° C. (68° F.) and contains not more than 3.0 grams of salt (NaCl) per 100 milliliters, and not less than 2.0 grams nor more than 2.6 grams of acid (calculated as acetic) per 100 milliliters.

(3) *Good flavor* (i) "Good flavor" means that the product possesses a normal flavor which may be lacking in characteristic flavor for the type but is free from objectionable flavor or off flavor of any kind, and meets the following additional requirements for the type indicated:

(*a*) *Dill or dill pickles.* Dill pickles meet the following requirements with respect to the classification indicated.

(*1*) *Dills or dill pickles.* After equalization, the packing medium contains not less than 0.5 gram of acid (calculated as lactic) per 100 milliliters, and the salt content is not less than 8 degrees nor more than 20 degrees Salometer at 20° C. (68° F.)

(*2*) *Processed dills or processed dill pickles.* After equalization, the packing medium contains not less than 0.5 gram of acid (calculated as acetic) per 100 milliliters and the salt content is not less than 8 degrees nor more than 20 degrees Salometer at 20° C. (68° F.)

(*b*) *Sour pickles.* After equalization, the packing medium contains not less than 1.5 grams nor more than 3.0 grams of acid (calculated as acetic) per 100 milliliters, and the salt content is not less than 8 degrees nor more than 20 degrees Salometer at 20° C. (68° F.)

(*c*) *Sweet pickles.* After equalization, the density of the packing medium is not less than 15 degrees Baume (27.2 degrees Brix) at 20° C. (68° F.) and contains not more than 3.5 grams of salt (NaCl) per 100 milliliters, and not less than 1.5 nor more than 3.0 grams of acid (calculated as acetic) per 100 milliliters.

(*d*) *Cut, cross cut, sliced, mixed pickles.* Cut pickles and mixed pickles meet the following requirements with respect to the classification indicated:

(*1*) *Sour cut, cross cut, sliced, sour mixed pickles.* After equalization, the packing medium contains not less than 1.5 grams nor more than 3.0 grams of acid (calculated as acetic) per 100 milliliters, and the salt content is not less than 8 degrees nor more than 20 degrees Salometer at 20° C. (68° F.)

(*2*) *Sweet cut, cross cut, sliced, sweet mixed pickles.* After equalization, the density of the packing medium is not less than 15 degrees Baume (27.2 degrees Brix) at 20° C. (68° F.) and contains not more than 3.5 grams of salt (NaCl) per 100 milliliters, and not less than 1.5 grams nor more than 3.0 grams of acid (calculated as acetic) per 100 milliliters.

(*e*) *Chow chow pickle.* Chow chow pickle meets the following requirements with respect to the classification indicated:

(*1*) *Sour chow chow pickle.* After equalization, the packing medium contains not less than 1.5 grams nor more than 3.0 grams of acid (calculated as acetic) per 100 milliliters, and not more than 3.5 grams of salt (NaCl) per 100 milliliters.

(*2*) *Sweet chow chow pickle.* After equalization, the density of the packing medium is not less than 15 degrees Baumé (27.2 degrees Brix) at 20° C. (68° F.), and contains not more than 3.5 grams of salt (NaCl) per 100 milliliters, and not less than 1.5 grams nor more than 3.0 grams of acid (calculated as acetic) per 100 milliliters.

(*f*) *Sweet pickle relish, finely cut or finely chopped.* After equalization, the density of the packing medium is not less than 15 degrees Baumé (27.2 degrees Brix) at 20° C. (68° F.), and contains not more than 3.5 grams of salt (NaCl) per 100 milliliters, and not less than 1.5 grams nor more than 3.0 grams of acid (calculated as acetic) per 100 milliliters.

(4) The relative importance of each factor which is scored is expressed numerically on the scale of 100. The maximum number of points that may be given each such factor is:

Factor:	*Points*
(i) Color	20
(ii) Uniformity of size and shape	20
(iii) Absence of defects	30
(iv) Texture	30
Total score	100

(i) *Ascertaining the rating for the factors which are scored.* The essential variations within each factor which is scored are so described that the value may be ascertained for such factors and expressed numerically. The numerical range within each factor which is scored is inclusive (for example, "16 to 20 points" means 16, 17, 18, 19, or 20 points)

(1) *Color* (i) Cucumber pickles that possess a good color may be given a score of 16 to 20 points. "Good color" means that the skin of the cucumber ingredient possesses a practically uniform typical color and is practically free from bleached areas; that the skin of not more than 10 percent, by weight, of the cucumber ingredient may vary markedly from a typical yellow-green to green color and that in mixed pickles, chow chow pickles, and pickle relish all of the pickle ingredients possess a practically uniform typical color for the respective ingredient.

(ii) If the cucumber pickles possess a fairly good color, a score of 13 to 15 points may be given. Cucumber pickles that fall into this classification shall not be graded above U. S. Grade C or U. S. Standard, regardless of the total score for the product (this is a limiting rule) "Fairly good color" means that the skin of the cucumber ingredient possesses a fairly uniform typical color and is fairly free from bleached areas; that the skin of not more than 25 percent, by weight, of the cucumber ingredient may vary markedly from a typical yellow-green to green color; and that in mixed pickles, chow chow pickles, and pickle relish all of the pickle ingredients possess a fairly uniform typical color for the respective ingredient.

(iii) Cucumber pickles that fail to meet the requirements of subdivision (ii) of this subparagraph may be given

a score of 0 to 12 points and shall not be graded above Substandard, regardless of the total score for the product (this is a limiting rule)

(2) *Uniformity of size and shape.* (i) Cucumber pickles that are practically uniform in size and shape may be given a score of 17 to 20 points. "Practically uniform in size and shape" has the following meanings with respect to the various styles of cucumber pickles:

(a) *Whole pickles.* (1) The whole pickles may vary moderately in size and shape and not less than 90 percent, by count, of all the pickles meet the size requirements indicated in Table No. II for the sizes designated.

(2) Not more than 10 percent, by count, of all the pickles may exceed the variations indicated by not more than ⅛ inch in diameter and ¼ inch in length.

TABLE No. II

Size			Maximum variation for at least 90 percent, by count, of all the pickles	
Word designation	No. designation	Length (inches)	Diameter (inch)	Length (inch)
Midgets	1	1½ and less	2/16	2/4
Midgets	2	Over 1½ but not over 1¾	2/16	2/4
Gherkins	1	Over 1¾ but not over 2¼	2/16	2/4
Gherkins	2	Over 2¼ but not over 2½	2/16	2/4
Gherkins	3	Over 2½ but not over 2¾	2/16	2/4
Small	1	Over 2¾ but not over 3	2/16	2/4
Small	2	Over 3 but not over 3¼	2/16	2/4
Small	3	Over 3¼ but not over 3½	2/16	2/4
Medium		Over 3½ but not over 4	3/4	1
Large	1	Over 4 but not over 4¼	5/16	1
Large	2	Over 4¼ but not over 4¾	5/16	1
Extra large		Over 4¾ but not over 5¼	5/16	1

(b) *Cross cut, slices, or sliced pickles.* The cut or sliced pickles may vary moderately in size and shape and not less than 90 percent, by count, of the units of the most uniform size and shape meet the following additional requirements:

(1) When cut at right angles to the longitudinal axis the individual unit is not less than 3/16 inch nor more than ⅜ inch in thickness when measured at the thickest portion and the diameter of the largest unit, measured as aforesaid, is not more than 2 inches.

(2) When the units are cut longitudinally into halves or quarters the length of the longest slice, measured as aforesaid, does not exceed the length of the shortest slice by more than ¼ of the length of the shortest slice.

(3) When cut longitudinally with parallel surfaces, the unit is not less than 3/16 inch nor more than ⅜ inch in thickness when measured at the thickest portion, and the length of the longest slice, measured as aforesaid, does not exceed the length of the shortest slice by more than ¼ of the length of the shortest slice.

(4) Not more than 10 percent, by count, of all the units may vary not more than 25 percent from the sizes indicated.

(c) *Cut pickles; mixed pickles; chow chow.* The cut pickles, mixed pickles, or chow chow may vary moderately in size and shape and not less than 90 percent, by count, of the units of the most uniform size and shape meet the following additional requirements:

(1) The weight of the largest unit of a respective pickle ingredient does not exceed the weight of the smallest unit of such ingredient by more than 4 times the weight of the smallest unit. An occasional unit which is not representative of the general size of all the units of a respective pickle ingredient is excluded in determining size variations.

(2) Not more than 10 percent, by count, of all the units may exceed the size indicated by not more than 25 percent of the weight of the smallest unit: *Provided,* That not more than 5 percent, by weight, of the units of the cucumber ingredient and not more than 4 percent, by weight, of the units of the cauliflower ingredient in mixed pickles are smaller than ⅛ ounce each.

(d) *Finely cut or finely chopped pickles.* The pickle ingredients have been finely cut or chopped into units which may vary moderately in size.

(ii) If the pickles are fairly uniform in size and shape, a score of 13 to 16 points may be given. "Fairly uniform in size and shape" has the following meanings with respect to the various styles of cucumber pickles:

(a) *Whole pickles.* The whole pickles may vary considerably in size and shape, and not less than 90 percent, by count, of the units of the most uniform size and shape meet the following additional requirements:

(1) The largest pickle is not more than 50 percent greater in length and diameter, measured as aforesaid, than the smallest pickle.

(2) Not more than 10 percent, by count, of all the pickles may exceed by not more than 25 percent the measurements indicated.

(b) *Cross cut, slices, or sliced pickles.* The cut or sliced pickles may vary considerably in size and shape and not less than 90 percent, by count, of the units of the most uniform size and shape meet the following additional requirements:

(1) When cut at right angles to the longitudinal axis, the individual unit is not less than 3/16 inch nor more than ⅜ inch in thickness when measured at the thickest portion and the diameter of the largest unit, measured as aforesaid, is not more than 2¼ inches.

(2) When the units are cut longitudinally into halves or quarters, the length of the longest slice, measured as aforesaid, does not exceed the length of the shortest slice by more than ½ of the length of the shortest slice.

(3) When cut longitudinally with parallel surfaces, the unit is not less than 3/16 inch nor more than ⅜ inch in thickness when measured at the thickest portion, and the length of the longest slice, measured as aforesaid, does not exceed the length of the shortest slice by more than ½ of the length of the shortest slice.

(4) Not more than 10 percent, by count, of all the units may vary not more than 25 percent from the sizes indicated.

(c) *Cut pickles; mixed pickles; chow chow.* The cut pickles, mixed pickles, or chow chow may vary considerably in size and shape and not less than 90 percent, by count, of the units of most uniform size and shape meet the following additional requirements:

(1) The weight of the largest unit of a respective pickle ingredient does not exceed the weight of the smallest unit of such ingredient by more than 6 times the weight of the smallest unit. An occasional unit which is not representative of the general size of all the units of a respective pickle ingredient is excluded in determining size variations.

(2) Not more than 10 percent, by count, of all the units may exceed the sizes indicated by not more than ½ of the weight of the smallest unit.

(d) *Finely cut or finely chopped pickles.* The pickle ingredients have been finely cut or chopped into units which may vary considerably in size.

(iii) Cucumber pickles that fail to meet the requirements of subdivision (ii) of this subparagraph may be given a score of 0 to 12 points and shall not be graded above U. S. Grade C or U. S. Standard, regardless of the total score for the product (this is a limiting rule)

(3) *Absence of defects.* (i) The factor of absence of defects refers to the degree of freedom from grit, sand, or silt, from attached stems, curved pickles, markedly off shaped pickles, end cuts, units damaged by mechanical injury, units blemished by brown or black discoloration, or by scars, and units blemished by other means.

(a) "Slightly curved" means pickles that are curved at an angle of not more than 35 degrees.

(b) "Very curved" means pickles that are curved at an angle of more than 35 degrees but not more than 60 degrees.

(c) "Markedly off shaped" means pickles that are curved at more than a 60-degree angle, "nubbins," and other badly crooked or misshapen pickles.

(d) "Grit, sand, or silt" means any particle of earthy material, whether in the liquid packing medium or imbedded in the skin or flesh of the pickle.

(e) "Blemished" means any unit having an aggregate blemished area exceeding that of a circle 3/16 inch in diameter or blemished to such an extent that the appearance or eating quality of the unit is materially affected.

(f) "Seriously blemished" means any unit blemished to such an extent that the appearance or eating quality of the unit is seriously affected.

(g) "Mechanical damage" means crushed or broken units or units damaged by other means to such an extent that the appearance or eating quality of the unit is materially affected.

(*h*) "Stem" means any attached stem longer than ¼ inch.

(*i*) "End cut" or "end cuts" means any portion of a whole pickle obtained in the preparation of cross cut or sliced pickles possessing only one cut surface.

(ii) Cucumber pickles that are practically free from defects may be given a score of 26 to 30 points. "Practically free from defects" means that the aforesaid defects, individually or collectively, do not more than slightly affect the appearance or eating quality of the product. The following allowances provide a guide for scoring cucumber pickles which are practically free from defects. There may be present:

10 percent, by count, of curves pickles and of such 10 percent not more than ⅕ thereof or 2 percent, by count, of all the pickles may consist of very curved pickles;

2 percent, by count, of markedly off shaped pickles;

10 percent, by count, of pickles with attached stems and of such 10 percent not more than 1/10 thereof or 1 percent, by count, of all the units may have attached stems more than ½ inch in length;

10 percent, by count, of blemished units: *Provided,* That not more than 1 percent, by count, of all the units may consist of seriously blemished units;

5 percent, by weight, of end cuts in cross cut or sliced pickles; and

5 percent, by count, of units damaged by mechanical injury.

(iii) If the cucumber pickles are fairly free from defects, a score of 22 to 25 points may be given. Cucumber pickles that fall into this classification shall not be graded above U. S. Grade C or U. S. Standard, regardless of the total score for the product (this is a limiting rule) "Fairly free from defects" means that the aforesaid defects, individually or collectively, do not materially affect the appearance or eating quality of the product. The following allowances provide a guide for scoring cucumber pickles which are fairly free from defects. There may be present:

20 percent, by count, of curved pickles and of such 20 percent not more than ⅕ thereof or 4 percent, by count, or all the units may consist of very curved pickles;

5 percent, by count, of markedly off shaped pickles;

20 percent, by count, of pickles with attached stems and of such 20 percent not more than ⅕ thereof or 4 percent, by count, of all the units may have attached stems that exceed ½ inch in length;

20 percent, by count, of blemished units: *Provided,* That not more than 3 percent, by count, of all the units may consist of seriously blemished units;

15 percent, by weight, of end cuts in cross cut or sliced pickles; and

10 percent, by count, of units damaged by mechanical injury.

(iv) Cucumber pickles that fail to meet the requirements of subdivision (iii) of this subpargraph may be given a score of 0 to 21 points and shall not be graded above Substandard, regardless of the total score for the product (this is a limiting rule)

(4) *Texture.* (i) The factor of texture refers to the firmness, crispness, and the condition of the cucumber pickles.

(*a*) "Chalky white areas" means internal opaque, chalky white areas exceeding ⅛ of the diameter of the pickle, Very pale green to translucent white internal areas should not be classified as chalky white.

(ii) Cucumber pickles that possess a good texture may be given a score of 26 to 30 points. "Good texture" means that the cucumber pickles are firm and crisp for the respective style or type of pack and are practically free from seedy pickles. The following allowances provide a guide for scoring "good texture"·

5 percent, by count, of all the units in cucumber pickles, exclusive of insignificant shriveling in sweet pickles, may be slightly shriveled, soft, or slippery;

5 percent, by count, of all the units in cucumber pickles may be hollow pickles; and

10 percent, by count, of all the units in cucumber pickles may have internal chalky white areas.

(iii) If the cucumber pickles possess a fairly good texture, a score of 22 to 25 points may be given. Cucumber pickles that fall into this classification shall not be graded above U. S. Grade C or U. S. Standard, regardless of the total score for the product (this is a limiting rule) "Fairly good texture" means that the cucumber pickles are fairly firm and crisp, for the respective style and type of pack, and are fairly free from seedy pickles. The following allowances provide a guide for scoring fairly good texture:

10 percent, by count, of all the units in cucumber pickles, exclusive of slight shriveling in sweet pickles, may be markedly shriveled, soft, or slippery;

10 percent, by count, of all the units in cucumber pickles may be hollow pickles; and

20 percent, by count, of all the units in cucumber pickles may have internal chalky white areas.

(iv) Cucumber pickles that fail to meet the requirements of subdivision (iii) of this subparagraph may be given a score of 0 to 21 points and shall not be graded above Substandard, regardless of the total score for the product (this is a limiting rule)

(j) *Definition of terms; methods of analysis*—(1) *Baumé.* Baumé means the density of the packing medium determined by means of a Baume hydrometer corrected to 20° C. (68° F.) as prescribed by the Association of Official Agricultural Chemists.

(2) *Brix.* Brix means the density of the packing medium determined by means of a Brix hydrometer corrected to 20° C. (68° F.) as prescribed by the Association of Official Agricultural Chemists.

(3) *Degrees Salometer* Degrees Salometer means the salt (NaCl) content of the packing medium determined by means of a hydrometer reading in degrees Salometer corrected to 20° C. (68° F.) without correction for other soluble solids. Degrees Salometer correspond to the percent of saturation of salt (NaCl) in aqueous solution. 3.7873 degrees Salometer is the equivalent of 1 percent, by weight, of salt (NaCl) in aqueous solution.

(4) *Salt.* Salt means grams of salt (NaCl) per 100 milliliters of the packing medium, determined as prescribed by the Association of Official Agricultural Chemists.

(5) *Acid.* Acid means grams of acid (calculated as lactic or acetic, as the case may be) per 100 ml. of the packing medium, determined by titration with standard sodium hydroxide solution using phenolphthalein indicator, as prescribed by the Association of Official Agricultural Chemists.

(6) *After equalization.* (i) After equalization has the following meanings with respect to the different types and styles of cucumber pickles packed in a packing medium with or without the addition of a nutrient sweetening ingredient:

(*a*) When cucumber pickles are packed in a packing medium containing a nutrient sweetening ingredient, after equalization means the density of the packing medium, grams of salt, and grams of acid per 100 milliliters of the packing medium as determined by analysis 15 days or more after packing.

(*b*) When cucumber pickles are packed in a packing medium without the addition of a nutrient sweetening ingredient, after equalization means the degrees Salometer and grams of acid per 100 milliliters of the packing medium as determined by analysis 10 days or more after packing.

(ii) After equalization has the following meanings with respect to the different types and styles of cucumber pickles when analyses are made prior to the elapsed time after packing indicated in subdivision (i) of this subparagraph:

(*a*) *Whole pickles and pickles sliced lengthwise.* The pickle ingredient is prepared by taking sections ½ to 1 inch in length from the approximate mid-section of a representative number of pickles. When there is a noticeable variation in the size of the pickles, select some of both large and small sizes in preparing the sample. Take proportionate quantities, by weight, of the pickle ingredient and the packing medium to make 200–250 grams and place in a Waring blendor with an equal weight of distilled water. Comminute in Waring blendor for about two minutes. Strain through a United States Standard No. 20 sieve. Make Baumé, Brix, or Salometer determinations on the strained liquid. A sufficient quantity of the strained liquid should be filtered to obtain a clear sample for salt and acidity determinations. Multiply results of analysis by 2 to obtain final results.

(*b*) *Cross cut, cut; mixed pickles.* The pickle ingredient in cross cut, cut, and mixed pickles is usually in pieces which can be readily comminuted in a Waring blendor without further cutting. Take proportionate quantities, by weight, of the pickle ingredient and the packing medium to make 200–250 grams and place in Waring blendor with an equal weight of distilled water. Proportionate quantities of onions and cauliflower, when present, should be selected in making up the sample. Comminute in Waring blendor for about 2 minutes. Strain through a United States Standard No. 20 sieve and proceed with the analyses as outlined in (*a*) of this subdivision.

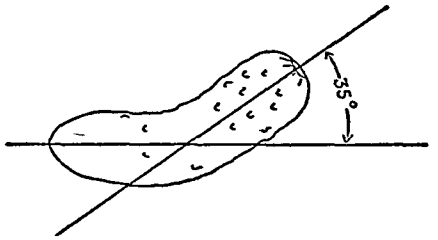
(*c*) *Finely cut or finely chopped pickles; pickle relish.* Mix the contents of the container thoroughly before taking a sub-sample of the relish. Take 200–250 grams of the well mixed sample and place in a Waring blendor with an

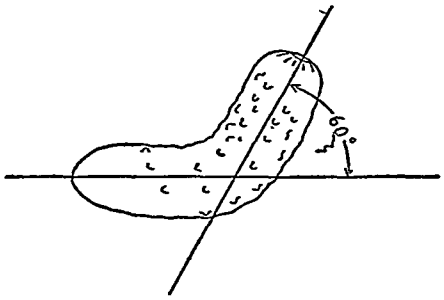
equal weight of distilled water. Comminute in Waring blendor for about 2 minutes. Strain through a United States Standard No. 20 sieve and proceed with the analyses as outlined in (a) of this subdivision.

(7) *Methods of analysis.* The analyses prescribed in this section may be made by any other method which gives equivalent results.

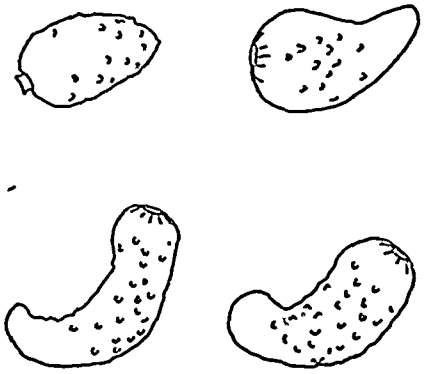
(8) *Curved pickles.* The angle of a curved pickle means the angle formed by the intersection of lines projected from either end approximately parallel to the sides of the pickle adjoining the stem and blossom ends, respectively.

(9) *Slightly curved; very curved.* The following diagrams illustrate pickles curved at angles of 35 degrees and 60 degrees, respectively, the maximum curvature for "slightly curved" and "very curved."





(10) *Markedly off shaped.* The following diagrams illustrate markedly off shaped pickles, nubbins, and other badly crooked or misshapen pickles.



(k) *Tolerances for certification of officially drawn samples.* (1) When certifying samples that have been officially drawn and which represent a specific lot of cucumber pickles the grade for such lot will be determined by averaging the total scores of the containers comprising the sample, if, with respect to those factors which are scored:

(i) Not more than one-sixth of the containers fails to meet the grade indicated by the average of such total scores;

(ii) None of the containers falls more than 4 points below the minimum score for the grade indicated by the average of such total scores;

(iii) None of the containers falls more than one grade below the grade indicated by the average of such total scores;

(iv) The average score of all containers for any factor subject to a limiting rule is within the score range of that factor for the grade indicated by the average of the total scores of the containers comprising the sample; and

(2) All containers comprising the sample meet all applicable standards of quality promulgated under the Federal Food, Drug, and Cosmetic Act and in effect at the time of the aforesaid certification.

(1) *Score sheet for cucumber pickles.*

Size and kind of container			
Container code or marking			
Label			
Net weight (ounces)			
Vacuum (inches)			
Drained weight (ounces)			
Style			
Type			
Density of syrup (° Baumé or ° Brix)			
Salometer degrees			
Acidity—grams per 100 ml			
Salt (NaCl)—grams per 100 ml			
Size count (if whole)			
Ingredients (if mixed or chow chow): % Cucumbers. % Cauliflower. % Onions. % Peppers.			
Factors	**Score points**		
I. Color	20	(A)	16-20
		(C)	[1] 13-15
		(SStd.)	[1] 0-12
II. Uniformity of size and shape.	20	(A)	17-20
		(C)	13-16
		(SStd.)	[1] 0-12
III. Absence of defects	30	(A)	26-30
		(C)	[1] 22-25
		(SStd.)	[1] 0-21
IV. Texture	20	(A)	26-20
		(C)	[1] 22-25
		(SStd.)	[1] 0-21
Total score	100		
Grade			

[1] Indicates limiting rule.

Done at Washington, D. C., this 8th day of October 1953.

[SEAL] GEORGE A. DICE,
Deputy Assistant Administrator, Production and Marketing Administration.

[F. R. Doc. 53-8707; Filed, Oct. 14, 1953; 8:46 a. m.]

NOTICES

CIVIL AERONAUTICS BOARD

[Docket No. 6098 et al.]

AMERICAN AIRLINES, INC., AND EASTERN AIR LINES, INC., SHORT HAUL COACH FARE INVESTIGATION

NOTICE OF POSTPONEMENT OF HEARING

In the matter of certain coach fares and schedules proposed by American Airlines, Inc., and Eastern Air Lines, Inc., known as the Short Haul Coach Fare Investigation.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, that hearing in the above-entitled proceeding now assigned to be held on October 19, 1953, at 10:00 a. m., e. s. t., in the Main Auditorium, Commerce Building, Washington, D. C., before Examiner Paul N. Pfeiffer is postponed and reassigned for hearing on October 22, and 23, 1953, at 10:00 a. m., e. s. t., in Room 2070 Temporary Building No. 5, Sixteenth Street and Constitution Avenue NW., Washington, D. C. The hearing will continue on October 26 and 27 in Room No. 1205, Temporary Building No. 4, Seventeenth Street and Independence Avenue NW., Washington, D. C. Should further hearing be necessary it will be held on October 28, 29, and 30 in Room No. 2070, Temporary Building No. 5.

Dated at Washington, D. C., October 12, 1953.

[SEAL] THOMAS L. WRENN,
Acting Chief Examiner.

[F. R. Doc. 53-8775; Filed, Oct. 14, 1953; 8:51 a. m.]

DEPARTMENT OF COMMERCE

Civil Aeronautics Administration

[Amdt. 26]

ORGANIZATION AND FUNCTIONS

AVIATION SAFETY DISTRICT OFFICES

In accordance with the public information requirements of the Administrative Procedure Act, the description of Organization and Functions of the Civil Aeronautics Administration is hereby amended. The purpose of this amendment is to publish locations and mailing addresses of, and specialties found at, Aviation Safety District Offices.

Section 43 (h) (4) is revised to read:

SEC. 43. *Regions 1-6.* * * *

(h) *Aviation Safety Division.* * * *

(4) *Aviation Safety District Offices*—(i) *Functions.* Aviation Safety District Offices, each staffed with a supervisor and agents, and some with engineers,

serve as contact points with the general public and the aviation industry. The offices are responsible for the initial handling of all matters dealing with: Aeronautical competency of airmen, air agencies, and air carriers; manufacture, repair, alteration, and maintenance of aircraft and components; compliance with rules and standards governing flight operations; investigation of accidents and violations; promotion of safe flying; and maintenance of close liaison with state and local enforcement agencies.

(ii) *Locations and specialties.* In the following tables:

The specialty column includes all specialties found at a particular office location. Although engineers are assigned to a few district offices for the purpose of having administrative headquarters, the public can make initial engineering contact at any Aviation Safety District Office.

"(G)" indicates that there is assigned to the office an agent who specializes in aviation safety activities relating to: Air agencies; general operators (operators of aircraft other than: Scheduled air carriers, irregular air carriers operating aircraft having a maximum certificated gross take-off weight of more than 12,500 pounds, and commercial operators certificated under Part 45 of the Civil Air Regulations) general aircraft in service (aircraft of general operators) general airmen (all persons who hold or are eligible for airman certificates other than: Airline transport pilot, airport control tower operator, dispatcher, or aircrewman) and other general aviation activities.

"(C)" indicates that there is assigned to the office an agent who specializes in aviation safety activities relating to: Air carrier operations (operations of: Scheduled air carriers, irregular air carriers operating aircraft having a maximum certificated gross take-off weight of more than 12,500 pounds, and commercial operators certificated under Part 45 of the Civil Air Regulations) air carrier aircraft in service (aircraft used in air carrier operations described herein) air carrier airmen (persons who hold or are candidates for such certificates as airline transport pilot, airport control tower operator, dispatcher, or aircrewman), and other air carrier matters.

"(F)" indicates that there is assigned to the office an agent who specializes in manufacturing inspection, including matters pertaining to the type, production, and original airworthiness inspections of new or modified aircraft, engines, propellers, and components.

"(E)" indicates that there is assigned to the office an engineer and/or agent who specializes in rendering engineering assistance in the evaluation of aircraft and equipment designs and redesigns, and in the evaluation of aircraft repairs and alterations.

All agents are generally familiar with, and can furnish information and advice on, aviation safety matters outside their area of specialization.

NOTE: Mail should be addressed as in this example:

CAA Aviation Safety District Office,
Room 202, Old Administration Building,
Municipal Airport,
Newark, N. J.

REGION I

State	City	Location	Mailing address	Specialty
Connecticut	Bridgeport	Sikorsky Aircraft Corp.	Care of Sikorsky Aircraft Corp.	(F)
	Windsor Locks	Bldg. 229, Bradley Field	Care of Kaman Aircraft Corp., P. O. Box 73, Bloomfield, Conn.	(F)
Delaware	New Castle	Bellanca Aircraft Corp.	Care of Bellanca Aircraft Corp., Bellanca Airport.	(F)
District of Columbia.	Washington	Hangar Six, Washington National Airport.	Hangar Six, Washington National Airport.	(C)
Kentucky	Louisville	Administration Bldg., Bowman Field.	Administration Bldg., Bowman Field.	(G)
Maine	Portland	Municipal Airport	Municipal Airport	(G)
Maryland	Baltimore	Glenn L. Martin Co., 19 B Bldg. Balcony, Middle River.	Care of Glenn L. Martin Co., 19 B Bldg. Balcony, Baltimore 3.	(F)
Massachusetts	Boston	287 E. Marginal St.	287 E. Marginal St., East Boston 28.	(C)
	Norwood	Municipal Airport	Municipal Airport	(G)
	Westfield	Barnes Westfield Airport	P. O. Box 215	(G)
New Hampshire	Concord	Municipal Airport	Municipal Airport	(G)
New Jersey	Haddonfield	Echelon Airport	P. O. Box 154	(G)
	Newark	Room 202, Old Administration Bldg., Municipal Airport.	Room 202, Old Administration Bldg., Municipal Airport.	(C)
	Teterboro	Teterboro Air Terminal	Teterboro Air Terminal	(G) (C)
New York	Albany	Albany Airport, Watervliet	P. O. Box 577, Latham, N. Y.	(G)
	Ithaca	Cornell University Airport	Cornell University Airport	(C)
	Jackson Heights	Terminal Bldg., La Guardia Field.	P. O. Box 575, Airport Station, Flushing 71.	(C)
	Jamaica	Room 102-103, Federal Bldg., International Airport.	Room 102-103, Federal Bldg., International Airport.	(F) (C)
	Lindenhurst	Zahn's Airport, N. Wellwood Ave.	Zahn's Airport, N. Wellwood Ave.	(G)
	Rochester	Rochester Municipal Airport	Rochester Municipal Airport	(G)
Ohio	Cincinnati	Administration Bldg., Lunken Airport.	Administration Bldg., Lunken Airport.	(G)
	Cleveland	Cleveland Hopkins Airport	Cleveland Hopkins Airport, 6200 Rocky River Dr.	(G)
	Columbus	Room 222, Administration Bldg., Port Columbus Airport.	Room 222, Administration Bldg., Port Columbus Airport.	(G)
	Middletown	Aeronca Manufacturing Corp.	Care Aeronca Manufacturing Corp.	(F)
Oklahoma	Tulsa	Administration Bldg., Municipal Airport.	P. O. Box 8188, Municipal Field.	(C)
Pennsylvania	Allentown	Allentown-Bethlehem-Easton Airport.	Allentown-Bethlehem-Easton Airport.	(G)
	Harrisburg	Harrisburg State Airport, New Cumberland.	Harrisburg State Airport, New Cumberland, Pa.	(G)
	Pittsburgh	Greater Pittsburgh Airport	Greater Pittsburgh Airport, Coraopolis, Pa.	(C)
	Pittsburgh	Allegheny County Airport, Dravosburg.	Allegheny County Airport, Dravosburg, Pa.	(G)
	Williamsport	Lycoming Division, Aviation Corp.	P. O. Box 928	(F)
Virginia	Alexandria	Beacon Field, 2013 Richmond Highway.	Beacon Field, 2013 Richmond Highway.	(G)
	Richmond	Byrd Field, Sandston	Byrd Field, Sandston, Va.	(G)
West Virginia	Charleston	Kanawha County Airport	P. O. Box 5270, Capitol Station.	(G)

REGION II

Alabama	Birmingham	Municipal Airport	Municipal Airport	(G)
Arkansas	Little Rock	Adams Field	P. O. Box 426	(G)
Florida	Jacksonville	Room 221-225, United States Post Office and Court House Bldg., 311 W Monroe St.	P. O. Box 1501, Jacksonville 1	(G)
	Miami	International Airport	P. O. Box 226, International Airport Branch, Miami 48.	(G) (C) (F) (E)
	Tampa	Peter O. Knight Airport	P. O. Box 2112	(G)
Georgia	Atlanta	Bldg. No. 5, Municipal Airport.	P. O. Box 738, Municipal Airport.	(C)
	Atlanta	3999 Gordon Rd., Fulton County Airport.	3999 Gordon Road	(G) (E)
Louisiana	New Orleans	New Orleans Airport	P. O. Box 8147, Gentilly Station.	(G) (C)
	Shreveport	Administration Bldg., Municipal Airport.	P. O. Box 80	(G)
Mississippi	Jackson	Army Air Base	P. O. Box 1727	(G)
North Carolina	Charlotte	1315 Independence Bldg.	1315 Independence Bldg.	(G)
	Raleigh	506-507 Commercial Bldg.	P. O. Box 1853	(G)
	Winston-Salem	Smith-Reynolds Airport	P. O. Box 2996	(C)
Oklahoma	Bethany	Tulakes Airport	P. O. Box 118	(F)
	Oklahoma City	Municipal Airport	P. O. Box 5158, Farley Station	(G)
	Tulsa	Municipal Airport	P. O. Box 8188	(G) (C)
Puerto Rico	San Juan	Room 226, Hangar 20, Isla Grande Airport.	P. O. Box 4764	(C)
South Carolina	Columbia	Capital Airport	P. O. Box 368, West Columbia, S. C.	(G)
Tennessee	Memphis	2488 Winchester	2488 Winchester, Memphis 18	(C)
	Nashville	Berry Field	Berry Field	(G)
Texas	Amarillo	Tradewind Airport	P. O. Box 2306	(G)
	Brownsville	Rio Grande International Airport.	Airport Branch Post Office	(G) (C)
	Dallas	Room 241, Terminal Bldg., Love Field.	Room 241, Terminal Bldg., Love Field.	(G) (F)
	Dallas	Room 244, Terminal Bldg., Love Field.	Room 244, Terminal Bldg., Love Field.	(C)
	Fort Worth	Meacham Field	P. O. Box 1689	(G)
	Fort Worth	Room 213, Terminal Bldg., Amon Carter Field.	Room 213, Terminal Bldg., Amon Carter Field.	(C)
	Hurst	Bell Aircraft Corp.	Care of Bell Aircraft Corp., P. O. Box 482, Fort Worth, Tex.	(F)
	Houston	Second Floor, National Guard Hangar, Municipal Airport.	Second Floor, National Guard Hangar, Municipal Airport.	(G)
	Houston	Room 204, Administration Bldg., Municipal Airport.	Room 204, Administration Bldg., Municipal Airport.	(C)
	Midland	Midland Air Terminal	P. O. Box 193, Terminal, Tex.	(G) (C)
	San Antonio	Municipal Airport	Municipal Airport, San Antonio 9.	(G) (C)

REGION III

State	City	Location	Mailing address	Specialty
Illinois	Chicago	6013 S. Central Ave	6013 S. Central Ave	(C)
	Springfield	Capital Airport	P. O. Box 197	(G)
	St. Charles	Du Page County Airport	Du Page County Airport	(G) (E)
Indiana	Indianapolis	Administration Bldg., Weir Cook Municipal Airport	Administration Bldg., Weir Cook Municipal Airport	(G) (C)
	South Bend	Bendix Field	Bendix Field	(G)
Iowa	Cedar Rapids	Administration Bldg, Municipal Airport.	P O Box 1907	(G)
	Des Moines	228 Administration Bldg, Municipal Airport.	228 Administration Bldg, Municipal Airport	(G)
Kansas	Dodge City	Municipal Airport	P. O. Box 550	(G)
	Kansas City	Third Floor, Administration Bldg., Fairfax Airport	Third Floor, Administration Bldg., Fairfax Airport	(G) (C) (E)
	Wichita	222 E. Elm St.	222 E. Elm St.	(G) (F)
	Wichita	Beech Aircraft Corp	Care Beech Aircraft Corp	(F)
	Wichita	Cessna Aircraft Co.	Cessna Aircraft Co.	(F)
Michigan	Grand Rapids	Kent County Airport	Kent County Airport	(G)
	Inkster	Administration Bldg., Detroit Wayne Major Airport.	Administration Bldg., Detroit-Wayne Major Airport	(G)
	Muskegon	Continental Aviation and Engineering Corp	P O Box 538	(F)
Minnesota	Minneapolis	Administration Bldg, Wold Chamberlain Field.	Box 1, Administration Bldg, Wold Chamberlain Field.	(G)
	Minneapolis	Wold Chamberlain Field	Care of Northwest Airlines Hangar No 1, Wold Chamberlain Field.	(C) (E)
Missouri	Springfield	Municipal Airport Route 6	Box 502-A, Municipal Airport Route 6.	(G)
	St Louis	Administration Bldg, Lambert Field.	Box 127, Lambert Field	(G) (C)
Nebraska	Lincoln	Administration Bldg., Municipal Airport (Union).	P. O. Box 1748, Municipal Airport (Union)	(G)
	North Platte	123 Administration Bldg, Municipal Airport.	P O Box 681	(G)
North Dakota	Bismarck	Municipal Airport	P. O. Box 207	(G)
	Fargo	Administration Bldg, Hector Municipal Airport	Administration Bldg, Hector Municipal Airport	(G)
South Dakota	Huron	Municipal Airport	P O Box 93	(G)
	Rapid City	Municipal Airport	P. O Box 27	(G)
Wisconsin	Milwaukee	General Mitchell Field	General Mitchell Field, Milwaukee 7.	(G)
	Wausau	Wausau Municipal Airport	Wausau, Wis	(G)

REGION IV

State	City	Location	Mailing address	Specialty
Arizona	Phoenix	Sky Harbor Airport	3000 Sky Harbor Blvd, Sky Harbor Airport.	(G)
California	Burbank	Hangar No 4, Lockheed Air Terminal.	Hangar No 4, Lockheed Air Terminal.	(C)
	Burbank	Lockheed Aircraft Corp, Plant A-1, Bldg. 10.	Care Lockheed Aircraft Corp, Plant A-1, Bldg 10	(F)
	Fresno	Fresno Air Terminal	P. O. Box 591	(G)
	Long Beach	Administration Bldg, Municipal Airport.	Administration Bldg, Municipal Airport.	(G)
	Los Angeles	5851 W Manchester Ave	5851 W. Manchester Ave, Los Angeles 45.	(G) (C)
	Los Angeles	Room 44, 5851 W Manchester Ave.	5851 W. Manchester Ave, Los Angeles 45	(F)
	Oakland	Municipal Airport	Municipal Airport	(G)
	Ontario	Administration Bldg., Ontario International Airport	Administration Bldg., Ontario International Airport	(G)
	Palo Alto	Municipal Airport	P. O Box 1210	(G)
	Palo Alto	Hiller Helicopters, 1350 Willow Rd.	Care Hiller Helicopters, 1350 Willow Rd.	(F)
	Sacramento	Municipal Airport	Municipal Airport	(G)
	San Diego	Administration Bldg, Lindbergh Field.	Administration Bldg, Lindbergh Field.	(G)
	San Diego	Consolidated-Vultee Aircraft Corp, Bldg 33, Lindbergh Field.	Care Consolidated Vultee Aircraft Corp., Bldg 33, Lindbergh Field	(F)
	Santa Monica	Douglas Aircraft Co, Inc, 3000 Ocean Park Blvd.	Care Douglas Aircraft Co, Inc, 3000 Ocean Park Blvd.	(F)
	San Francisco	Room 301, International Terminal Bldg, Pan American Airways	Care Pan American Airways, Room 301, International Terminal Bldg, South San Francisco, Calif	(C)

REGION IV—Continued

State	City	Location	Mailing address	Specialty
California	Van Nuys	7550 Hayvenhurst Ave, San Fernando Valley Airport.	7550 Hayvenhurst Ave., San Fernando Valley Airport.	(G)
Colorado	Denver	CAA District Office Bldg, Stapleton Airfield	CAA District Office Bldg, Stapleton Airfield	(G) (C)
	Grand Junction	Walker Field	P. O. Box 1016	(G)
Idaho	Boise	1412 Idaho St.	1412 Idaho St.	(G)
Montana	Billings	Room 208, Stapleton Bldg	Room 208, Stapleton Bldg	(G)
	Helena	Municipal Airport	P O Box 1167	(G)
Nevada	Las Vegas	Administration Bldg, McCarran Field	P O Box 1752	(G)
	Reno	328 Gazette Bldg	P. O. Box 490	(G)
New Mexico	Albuquerque	2020 Yale Blvd	2020 Yale Blvd SE.	(G)
Oregon	Eugene	Administration Bldg, Mahlon Sweet Airport.	Administration Bldg, Mahlon Sweet Airport.	(G)
	Portland	Service Office Bldg, 5410 NE Marine Dr.	Service Office Bldg., 5410 NE Marine Dr., Portland 13	(G)
Utah	Salt Lake City	Municipal Airport No. 1.	Municipal Airport No 1	(G)
Washington	Seattle	CAA Bldg, Boeing Field	P O Box 18 Seattle 8	(G)
		CAA Bldg, Boeing Field	P O Box 17, Seattle 8	(E) (F) (C)
	Spokane	Administration Bldg, Felts Field	P. O. Box 247, Parkwater Station, Spokane, Wash.	(G)
	Yakima	2300 W. Washington Ave.	2300 W. Washington Ave.	(G)
Wyoming	Cheyenne	Municipal Airport, 3801 Evans Ave	Municipal Airport, 3801 Evans Ave	(G)

REGION V

State	City	Location	Mailing address	Specialty
Alaska	Anchorage	Communications Bldg, Merrill Field.	Communications Bldg, Merrill Field.	(G)
	Anchorage	Wilhoith Bldg., 6th and C Sts	P O Box 440	(C)
	Fairbanks	6th and Lacey Sts	P O Box 510.	(C)
	Juneau	McKinley Bldg	P O Box 2149	(C)

This amendment shall become effective upon publication in the FEDERAL REGISTER

[SEAL]

F B LEE,
Administrator of Civil Aeronautics

[F R Doc 53-8675; Filed Oct 14 1953; 8:45 a m]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

ALASKA

ALASKA PUBLIC SALE ACT CLASSIFICATION NO 12

SEPTEMBER 23, 1953

Pursuant to the authority delegated to me under section 2 21 of Order No. 1, Bureau of Land Management, Region VII, approved by the Acting Secretary of the Interior August 20, 1951 (16 F R. 8625, 8627), the following described land is classified for disposal under the Alaska Public Sale Act of August 30, 1949 (63 Stat 679, 43 U. S C 364a-364e) for commercial and housing purposes

Tract No 1:

Beginning at a point 150 feet from the center line of the Richardson Highway on Line 1-2 of U S Survey 2701 Corner No. 1; thence northwesterly 6 30 chains along the edge of the right of-way to Line 1-2 of U S Survey 2868, Corner No 2; thence east 0 50 chains to corner No. 1 of U S Survey 2868, Corner No 3; thence north 2.80 chains along Line 1-4 of U. S Survey 2868 to its intersection with the Richardson Highway right of-way, Corner No. 4; thence northeasterly 9 0 chains along the eastern edge of the right of-way to its intersection with Line 1-2 of U. S Survey 2702, Corner No 5; thence southeast 3.30 chains along Line 1-2 of U S Survey 2702 to corner No 1 of that survey, Corner No 6; thence southerly 10 95 chains to corner No 2 of U S Survey 2701, Corner No. 7; thence southwesterly 3.45 chains along Line 1-2 of U S Survey 2701 to the point of beginning, containing approximately 6 0 acres, more or less

Tract No. 2:

Beginning at a point at the northeast corner of Summit Lake where the western edge of the Richardson Highway right of way intersects the shoreline at approximately Milepost 198 and at approximate latitude 63°09'-55" N, longitude 145°31'11" W, Corner No 1; thence northwesterly 5 0 chains along the

shoreline of the lake, Corner No. 2; thence north 40° east 5.0 chains to the western edge of the Richardson Highway right-of-way, Corner No. 3; thence southerly 8.0 chains along the edge of the right-of-way to the point of beginning on the shore of the lake, containing approximately 2.5 acres, more or less.

The above land will be offered for sale in accordance with regulations contained in Title 43, CFR, 1952 Supp., 75.32. If no bid at the minimum acceptable price or above is made, the land may be held for future offering or the classification may be rescinded.

FRED J. WEILER,
Chief,
Division of Land Planning.

[F. R. Doc. 53-8752; Filed, Oct. 14, 1953; 8:47 a. m.]

Office of the Secretary

COLORADO

NOTICE FOR FILING OBJECTIONS TO ORDER RESERVING CERTAIN PUBLIC LANDS IN CONNECTION WITH HOT SULPHUR WINTER DEER-ELK RANGE [1]

For a period of 30 days from the date of publication of the above entitled order, persons having cause to object to the terms thereof may present their objections to the Secretary of the Interior. Such objections should be in writing, should be addressed to the Secretary of the Interior, and should be filed in duplicate in the Department of the Interior, Washington 25, D. C. In case any objection is filed and the nature of the opposition is such as to warrant it, a public hearing will be held at a convenient time and place, which will be announced, where opponents to the order may state their views and where the proponents of the order can explain its purpose, intent, and extent. Should any objection be filed, whether or not a hearing is held, notice of the determination by the Secretary as to whether the order should be rescinded, modified or let stand will be given to all interested parties of record and the general public.

FRED G. AANDAHL,
Assistant Secretary of the Interior

OCTOBER 8, 1953.

[F R. Doc. 53-8751; Filed, Oct. 14, 1953; 8:46 a. m.]

[1] See Title 43, Chapter I, Appendix, PLO 918, *supra.*

DEPARTMENT OF AGRICULTURE

Commodity Credit Corporation

SALES OF CERTAIN COMMODITIES AT FIXED PRICES

OCTOBER 1953 DOMESTIC AND EXPORT PRICE LISTS

Pursuant to the Pricing Policy of Commodity Credit Corporation issued March 22, 1950 as amended January 9, 1953 (15 F R. 1593, 18 F R. 176) and subject to the conditions stated therein, the following commodities are available for sale in the quantities and at the prices stated:

OCTOBER 1953 EXPORT PRICE LIST

Commodity and approximate quantity available (subject to prior sale)	Export price list
Cottonseed oil, refined, 745,000,000 pounds.[1]	Bid basis f. o. b. tankcars or tankwagons at points of storage locations. Available New Orleans PMA Commodity office.
Cottonseed oil, crude, 5,000,000 pounds.[1]	Bid basis f. o. b. tankcars or tankwagons at producer's mills. Available New Orleans PMA Commodity office.
Linseed oil, raw, 188,300,000 pounds.[1]	Bid basis f. o. b. tankcars at points of storage locations. Available Chicago, Dallas, New Orleans, Portland, and Minneapolis PMA Commodity offices.
Olive oil, edible, 202,825 gallons [1]	Bid basis in 50/55-gallon drums f. o. b. points of storage locations. Available Portland PMA Commodity office.
Peanuts:	
Farmer's stock, bagged, Virginia type; 1951 crop, 10,000 tons; [1] 1952 crop, 12,000 tons.[1]	Bid basis, f. o. b. points of storage locations subject to the terms and conditions of USDA Announcement CCC Peanut Form 40.
Spanish—1952 crop, 3,000 tons.[1]	Same as above.
Runners—1952 crop, 23,000 tons.[1]	Same as above.
Shelled peanuts, bagged (for crushing) only.	Bid basis, f. a. s. vessel at specified U. S. ports, subject to terms and conditions of USDA Announcement FO-28/53. Available New Orleans PMA Commodity office.
Corn, bulk, 50,000,000 bushels [1]	Market price on date of sale at point of delivery, provided delivery takes place within 15 days unless otherwise agreed upon.
Flaxseed, bulk, midwest area, 793,000 bushels.	Information covering quantities and locations of the Midwest flaxseed can be secured from the Chicago and Minneapolis PMA Commodity offices. Offers are invited and will be considered on the basis of quantity as well as price, and will not be accepted for less than the minimum carlot weight as prescribed by railroad carrier's regulation at point of storage.
Soybeans, bulk, 2,274,000 bushels	Market price on date of sale at place of delivery, provided delivery takes place within 15 days unless otherwise agreed upon, basis No. 2 or better Grade green or yellow soybeans. Market differentials will apply to other classes and grades. Available Minneapolis, Kansas City, and Chicago PMA Commodity offices.

[1] These same lots also are available at domestic sales prices announced today.

OCTOBER 1953 DOMESTIC PRICE LIST

Commodity and approximate quantity available (subject to prior sale)	Domestic sales price
Nonfat dry milk solids, in carload lots only, 345,000,000 pounds, spray; 70,000,000 pounds, roller.	Spray process, U. S. Extra Grade, 17 cents per pound; roller process, U. S. Extra Grade, 15 cents per pound. Prices apply "in store" at location of stocks in any State. ("In store" means at the processor's plant or in storage at warehouse, but with any prepaid storage and outhandling charges for the benefit of the buyer.)
Salted creamery butter (in carload lots only), 280,000,000 pounds.	U. S. Grade A and higher: All States except those listed below, 68.75 cents per pound; New York, New Jersey, Pennsylvania, New England, and other States bordering the Atlantic Ocean and Gulf of Mexico, 69.50 cents per pound; California, Oregon, and Washington, 69.75 cents per pound. U. S. Grade B: 2 cents per pound less than Grade A prices. Prices apply "in store" at location of stocks in those States where butter is stored. ("In store" means at the processor's plant or warehouse but with any prepaid storage and outhandling charges for the benefit of the buyer.)
Cheddar cheese, cheddar and twin styles (standard moisture basis, in carload lots only), 260,000,000 pounds.	U. S. Grade A and higher: All States except those listed below, 39 cents per pound; New York, New Jersey, Pennsylvania, New England, and other States bordering the Atlantic and Pacific Oceans and Gulf of Mexico, 40 cents per pound. U. S. Grade B: 1 cent per pound less than Grade A prices. Prices apply "in store" at location of stocks in those States where cheese is stored. All prices are subject to usual adjustment for moisture content. ("In store" means at the processor's plant or warehouse but with any prepaid storage and outhandling charges for the benefit of the buyer.)
Cottonseed oil, refined, 745,000,000 pounds.[1]	Market price but not less than the minimum crude price, with appropriate adjustments for refining, location and quality f. o. b. tankcars or tankwagons at points of storage locations. Available New Orleans PMA Commodity office. Price will not be reduced during period ending June 30, 1954.
Cottonseed oil, crude, 5,000,000 pounds.[1]	Market price but not less than 14 cents per pound, prime, Valley basis, f. o. b. tankcars or tankwagons at producer's mills subject to premiums or discounts comparable to Bulletin 3 of the 1953 crop cottonseed price support program. Available New Orleans PMA Commodity office. Price will not be reduced during period ending June 30, 1954.
Linseed oil, raw, 188,300,000 pounds.[1]	Market price on date of sale, but not less than equivalent of the price support for flaxseed. Available Chicago, Dallas, New Orleans, Portland, and Minneapolis PMA Commodity offices.
Olive oil, edible, 202,825 gallons	Market price or $2.68 per gallon in 55-gallon drums, whichever is higher, f. o. b. points of storage locations. Available Portland PMA Commodity office.
Peanuts: Farmer's stock, bagged, Virginia type; 1951 crop, 10,000 tons;[1] 1952 crop, 12,000 tons.[1] Spanish—1952 crop, 3,000 tons.[1] Runners—1952 crop, 23,000 tons.[1]	Bid basis, f. o. b. points of storage locations, subject to the terms and conditions of Announcement CCC Peanut Form 40. Available New Orleans PMA Commodity office.
Large Lima, dry, edible beans, bagged, 297,000 hundredweight.	No. 1 Grade 1952 crop: $12.57 per 100 pounds basis f. o. b. California points of production. Amount of applicable paid-in freight to be added. No. 2 grade 25 cents less than No. 1 and No. 3 grade 50 cents less than No. 1. Available Portland PMA Commodity office.
Seeds	On all seeds except Ladino: Offers will not be accepted for less than the minimum carlot weight as prescribed by railroad carrier's regulation at point of storage. However, if quantity available at any location is less than carlot, offers will be accepted for the entire lot.
Common and Willamette Vetch seed, bagged, 209,960 hundredweight.	$6 per 100 pounds, f. o. b. point of production, plus any paid-in freight as applicable basis current freight rate at time of sale. Available Dallas, Portland, and New Orleans PMA Commodity offices.
Red clover seed (uncertified), bagged, 123,790 hundredweight.	$36.75 per 100 pounds, f. o. b. point of production, plus any paid-in freight as applicable basis current freight rate at time of sale. Price will not be reduced during period ending June 30, 1954. Available Portland, Chicago, Kansas City, Minneapolis, and New Orleans PMA Commodity offices.
Red clover seed (certified), bagged: Cumberland, 997 hundredweight; Midland, 625 hundredweight.	$36.75 per 100 pounds, f. o. b. point of production, plus any paid-in freight as applicable basis current freight rate at time of sale. Price will not be reduced during period ending June 30, 1954. Available Portland and Kansas City PMA Commodity offices.
Red clover seed (Kenland certified), bagged, 140 hundredweight.	$43 per 100 pounds, f. o. b. point of production, plus any paid-in freight as applicable basis current freight rate at time of sale. Price will not be reduced during period ending June 30, 1954. Available Portland PMA Commodity office.

[1] These same lots also are available at export sales prices announced today.

OCTOBER 1953 DOMESTIC PRICE LIST—Continued

Commodity and approximate quantity available (subject to prior sale)	Domestic sales price
White clover seed, bagged, 807 hundredweight.	$53.50 per 100 pounds, f. o. b. area of production, plus any paid-in freight as applicable basis current freight rate at time of sale. Price will not be reduced during period ending June 30, 1954. Available New Orleans PMA Commodity office.
Ladino clover seed (certified), bagged, 154,010 hundredweight.	$105 per 100 pounds, basis f. o. b. point of production, plus any paid-in freight, as applicable. $100 in lots of 60,000 pounds, or more. Available Portland and Minneapolis PMA Commodity offices.
Crimson clover seed, bagged, 1,040 hundredweight.	$18 per 100 pounds, f. o. b. point of production, plus any paid-in freight as applicable basis current freight rate at time of sale. Available Portland and New Orleans PMA Commodity offices.
Biennial sweet clover seed, bagged, 28,590 hundredweight.	$9.45 per 100 pounds, f. o. b. point of production, plus any paid-in freight as applicable basis current freight rate at time of sale. Price will not be reduced during period ending June 30, 1954. Available Kansas City, Minneapolis, Dallas, Chicago, and Portland PMA Commodity offices.
Alsike clover seed, bagged, 39,000 hundredweight.	$27 per 100 pounds, f. o. b. point of production, plus any paid-in freight as applicable basis current freight rate at time of sale. Price will not be reduced during period ending June 30, 1954. Available Portland, Kansas City and Chicago PMA Commodity offices.
Smooth bromegrass seed (uncertified), bagged, 721 hundredweight.	$15.75 per 100 pounds, f. o. b. point of production, plus any paid-in freight as applicable basis current freight rate at time of sale. Price will not be reduced during period ending June 30, 1954. Available Portland and Chicago PMA Commodity offices.
Smooth bromegrass seed (Manchar certified), bagged, 345 hundredweight.	$22.50 per 100 pounds, f. o. b. point of production, plus any paid-in freight as applicable basis current freight rate at time of sale. Price will not be reduced during period ending June 30, 1954. Available Portland PMA Commodity office.
Mountain bromegrass seed (Bromar certified), bagged, 530 hundredweight.	$21 per 100 pounds, f. o. b. point of production, plus any paid-in freight as applicable basis current freight rate at time of sale. Price will not be reduced during period ending June 30, 1954. Available Portland PMA Commodity office.
Hairy Vetch seed, bagged, 199,540 hundredweight.	$1 plus 1953 support price per 100 pounds, f. o. b. point of production plus any paid-in freight as applicable basis current freight rate at time of sale. Available Portland, Dallas, and New Orleans PMA Commodity offices.
Birdsfoot Trefoil seed, bagged, 1,200 hundredweight.	$78.75 per 100 pounds, f. o. b. point of production, plus any paid-in freight as applicable basis current freight rate at time of sale. Price will not be reduced during period ending June 30, 1954. Available Portland PMA Commodity office.
Primer slender wheatgrass seed (certified) bagged, 577 hundredweight.	$31.50 per 100 pounds, f. o. b. point of production, plus any paid-in freight as applicable basis current freight rate at time of sale. Price will not be reduced during period ending June 30, 1954. Available Portland and Minneapolis PMA Commodity offices.
Alfalfa seed, Northern, bagged, 226,888 hundredweight.	$37.50 per 100 pounds, f. o. b. area of production, plus any paid-in freight as applicable basis current freight rate at time of sale. Price will not be reduced during period ending June 30, 1954. Available Portland, Minneapolis and Kansas City PMA Commodity offices.
Alfalfa seed, Central, bagged, 35,146 hundredweight.	$30 per 100 pounds, f. o. b. area of production, plus any paid-in freight as applicable basis current freight rate at time of sale. Price will not be reduced during period ending June 30, 1954. Available Portland, Dallas, Kansas City and Chicago PMA Commodity offices.
Alfalfa seed, Southern, bagged, 4,995 hundredweight.	$22 per 100 pounds, f. o. b. area of production, plus any paid-in freight as applicable basis current freight rate at time of sale. Price will not be reduced during period ending June 30, 1954. Available Portland PMA Commodity office.
Alfalfa seed (certified), bagged; Ranger, 80,708 hundredweight; Ladak, 9,101 hundredweight; Grimm, 6,069 hundredweight; Buffalo, 36,082 hundredweight; Atlantic, 6,155 hundredweight.	$43 per 100 pounds, f. o. b. area of production, plus any paid-in freight as applicable basis current freight rate at time of sale. Price will not be reduced during period ending June 30, 1954. All available in Portland and Kansas City, all but Buffalo and Atlantic in Minneapolis, and only Buffalo and Atlantic in Dallas PMA Commodity offices.
Alfalfa seed (certified), bagged: Hairy Peruvian, 323 hundredweight; Indian, 1,181 hundredweight.	$23.70 per 100 pounds, f. o. b. area of production, plus any paid-in freight as applicable basis current freight rate at time of sale. Price will not be reduced during period ending June 30, 1954. Available Portland PMA Commodity office.
Tall Fescue seed (common), bagged, 102,300 hundredweight.	$21.50 per 100 pounds, f. o. b. area of production, plus any paid-in freight as applicable basis current freight rate at time of sale. Price will not be reduced during period ending June 30, 1954. Available Portland, Dallas, Chicago, and New Orleans PMA Commodity offices.
Tall Fescue seed (certified), bagged, 51,986 hundredweight.	$29 per 100 pounds, f. o. b. area of production, plus any paid-in freight as applicable basis current freight rate at time of sale. Price will not be reduced during period ending June 30, 1954. Available Portland PMA Commodity office.
Oats, bulk, 5,534,000 bushels	At points of production, basis in store, the market price but not less than the applicable 1953 county loan rate, plus: (1) 12 cents per bushel if received by truck, or (2) 10 cents per bushel if received by rail or barge. At other points, the foregoing plus average paid-in freight. Examples of minimum prices per bushel: Chicago, No. 3 or better, ex rail or barge, $1.03; Minneapolis, No. 3 or better, ex rail or barge, $0.98.
Corn, bulk, 50,000,000 bushels [1]	At points of production, basis in store, the market price but not less than the applicable 1953 county loan rate for No. 3 yellow plus: (1) 15 cents per bushel if received by truck, or (2) 11 cents per bushel if received by rail or barge. At other locations, the foregoing plus average paid-in freight. Examples of minimum prices per bushel: Chicago, No. 3 yellow, $1.85; St. Louis, No. 3 yellow, $1.91; Minneapolis, No. 3 yellow, $1.89; Omaha, No. 3 yellow, $1.82; Kansas City, No. 3 yellow, $1.87. For other classes, grades and quality, market differentials will apply.
Cottonseed meal and pellets, bulk (1953 production)	Market price as determined by CCC, but not less than CCC purchase price as provided in Paragraph 643.917 of 1953 Cottonseed Bulletin 3, Revision 1, as amended. Price will not be reduced during period ending Dec. 31, 1953. Information covering quantities and locations can be secured from the New Orleans PMA Commodity office.
Barley, bulk (for feed only), 150,000 bushels.	Less than carload lots in Minneapolis area to be sold for animal feed, basis in store, the market price for feed. Available Minneapolis PMA Commodity office.
Rye, bulk (for feed only), 119,000 bushels.	Less than carlot lots in Minneapolis area to be sold for animal feed, basis in store, the market price for feed. Available Minneapolis PMA Commodity office.
Flaxseed, bulk (for crushing only), 250,000 bushels.	Less than carlot lots in Minneapolis area, basis in store, at the market price. Available Minneapolis PMA Commodity office.
Wool, shorn and pulled grease (including some scoured), 97,500,000 pounds.	Sales of wool will be made at prices reflecting the higher of the market price or 103 percent of the price support appraisal value per pound plus an allowance for sales commission on wool, Boston basis, adjusted for net freight on wool stored outside the Boston storage area. Sales will be made ex-warehouse where the wool is stored. Available Boston PMA Commodity office.

[1] The above prices will not be applicable to sales made in connection with drought relief programs carried out in disaster areas.

(Sec. 407, 63 Stat. 1051)

Issued: October 12, 1953.

[SEAL] HOWARD H. GORDON,
Vice President,
Commodity Credit Corporation.

[F. R. Doc. 53-8776; Filed, Oct. 14, 1953; 8:51 a. m.]

Office of the Secretary

KANSAS

DISASTER ASSISTANCE; DELINEATION AND CERTIFICATION OF COUNTIES CONTAINED IN DROUGHT AREA

Pursuant to the authority delegated to me by the Administrator of the Federal Civilian Defense Administration (18 F. R. 4609) and for the purposes of section 2 (d) of Public Law 38, 81st Congress, as amended by Public Law 115, 83d Congress, the following counties are redesignated as being in the area affected by the major disaster occasioned by drought determined by the President on July 1, 1953, pursuant to Public Law 875, 81st Congress:

KANSAS

Barber.	Greenwood.
Chautauqua.	Woodson.
Coffey.	

Done as of the 5th day of October 1953.

[SEAL] J. EARL COKE,
Acting Secretary of Agriculture.

[F. R. Doc. 53-8769; Filed, Oct. 14, 1953; 8:51 a. m.]

FEDERAL POWER COMMISSION

[Docket No. G-2018]

EL PASO NATURAL GAS CO.

ORDER RECONVENING HEARING

Pursuant to the Commission's orders issued June 3 and June 10, 1953, a public hearing in this matter was held commencing on July 29 and continuing through August 4, 1953. On the latter date the hearing, as contemplated by said orders, was recessed subject to further order of the Commission.

The Commission orders: The public hearing in this matter be reconvened on November 16, 1953, at 10:00 a. m. in the Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D. C.

Issued: October 8, 1953.

Adopted: October 9, 1953.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 53-8756; Filed, Oct. 14, 1953; 8:48 a. m.]

[Docket No. G-2063]

NORTHERN NATURAL GAS CO.

ORDER FIXING DATE FOR FURTHER HEARING

On September 4, 1953, the Commission issued its order denying a motion by

Northern Natural Gas Company (Northern) to sever certain portions of the proceeding in Docket No. G-2063, to omit the intermediate decision procedure with respect to such severed portions, and to reserve all other issues in the proceeding pending the filing by Northern of a plan to dispose of the remaining volumes of gas to be allocated. As a part of such order, the Commission directed that Northern, within 15 days from the date of issuance of such order, advise the Commission of the date on which Northern would be ready to proceed with the presentation of evidence upon all remaining matters and issues in this proceeding. On September 21, 1953, Northern submitted a letter pursuant to such provision of the order, stating that it would be able to proceed with the presentation of further evidence on October 26, 1953, and representatives of Northern have since agreed that they are willing and able to proceed on October 19, 1953.

We take cognizance of the fact that this phase of the matter has been pending since May 1, 1953, on which date we issued our order accompanying Opinion No 249 in which, inter alia, we granted Northern a certificate authorizing the construction of facilities to enable it to increase the capacity of its system by 200,000 Mcf per day of the 300,000 Mcf sought by Northern in its application in Docket No. G-2063; that since such date extensive hearings have been held in which Northern and all intervenors have been afforded opportunity to present evidence with respect to their respective positions; and that, upon resumption of the hearing, as hereinafter ordered, it may be necessary that additional evidence be presented, not only by Northern, but by intervenors who will or may be affected by Northern's revised proposal. In these circumstances, it appears obvious that, if this proceeding is not to be prolonged unduly and its final determination unnecessarily delayed, the hearing should be reconvened at the earliest possible date. We have concluded that the date of October 19, 1953 is the date upon which the hearing may properly be reconvened consonant with adequate notice to the parties to the proceeding, and our order will so provide.

On October 2, 1953, a motion was filed on behalf of the intervening coal and railroad interests, in which they requested that Northern be required to serve upon all parties to the proceeding "a copy or copies of such further proposal or application which Northern may make * * *" and that such service be made "not less than ten days prior to the commencement of the hearing, or within such other period of time as the Commission may consider reasonable and just."

In considering such motion, we have noted that the date upon which we have determined the hearing should proceed is one week in advance of that upon which Northern originally indicated it would be ready to proceed, and that service by Northern ten days in advance of the date we prescribe hereinafter would be physically impossible. Therefore we shall deny as inappropriate in the present state of the case the motion by the intervening coal and railroad interests.

The Commission finds:

(1) It is appropriate for carrying out the provisions of the Natural Gas Act, and good cause exists, for fixing the date for further hearing in the above-entitled matter as hereinafter ordered.

(2) It would be inappropriate, and public convenience and necessity do not require, that the motion of the intervening coal and railroad interests as heretofore described be granted.

The Commission orders:

(A) Further hearing in the above-entitled matter be held commencing on October 19, 1953, at 10:00 a. m., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D. C., concerning all pertinent matters and issues in Docket No. G-2063.

(B) The motion filed by the intervening coal and railroad interests on October 2, 1953, be and the same hereby is denied.

Adopted: October 9, 1953.

Issued: October 12, 1953.

By the Commission.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 53-8755; Filed, Oct. 14, 1953; 8:47 a. m.]

[Docket No. G-2084]

UNITED NATURAL GAS CO.

ORDER FIXING DATE OF HEARING

By order issued on November 6, 1952, the Commission suspended First Revised Sheets Nos. 4 and 5 to United Natural Gas Company's FPC Gas Tariff, Original Volume No. 1, providing for an annual increase in the rates and charges in the amount of $1,749,000 to United Natural Gas Company's interstate wholesale customers, based upon estimated sales for the year ending October 31, 1953.

The maximum period of suspension expired on April 10, 1953, and in accordance with the provisions of section 4 (e) of the Natural Gas Act, United Natural Gas Company filed a motion to make the proposed increase in rates effective as of that date.

In accordance with that motion, the proposed increased rates became effective on April 10, 1953, subject to the submission by United Natural Gas Company and approval by the Commission of a bond obligating United Natural Gas Company to refund, with interest at a rate of 6 percent per annum, to those entitled thereto, any portion of the increased rates or charges found by the Commission upon final order not to be justified.

A satisfactory bond was accepted by the Commission on May 28, 1953.

The Commission finds: A public hearing should be held at the time and place hereinafter ordered concerning the lawfulness of the rates, charges, classifications, and services contained in United Natural Gas Company's FPC Gas Tariff, Original Volume No. 1, as proposed to be amended by First Revised Sheets Nos. 4 and 5.

The Commission orders:

(A) Pursuant to the authority contained in section 4 of the Natural Gas Act, a public hearing be held commencing December 1, 1953, at 10:00 a. m., e. s. t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D. C., concerning the lawfulness of rates, charges, classifications, and services contained in United Natural Gas Company's FPC Gas Tariff, Original Volume No. 1, as proposed to be amended by First Revised Sheets Nos. 4 and 5.

(B) At the hearing United Natural Gas Company shall go forward first and the parties, including Commission Staff Counsel, may reserve cross-examination until after United Natural Gas Company has presented and completed its case-in-chief.

(C) United Natural Gas Company shall serve upon all parties not later than November 24, 1953, copies of the testimony and exhibits it proposes to offer at the hearing, including five (5) copies upon Commission Staff Counsel.

(D) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) (18 CFR 1.8 and 1.37 (f)) of the Commission's rules of practice and procedure.

Adopted: October 8, 1953.

Issued: October 9, 1953.

By the Commission.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 53-8757; Filed, Oct. 14, 1953; 8:48 a. m.]

[Docket Nos. G-2157, G-2209]

MISSOURI PUBLIC SERVICE CO. AND CITIES SERVICE GAS CO.

ORDER DENYING SHORTENED PROCEDURE, CONSOLIDATING PROCEEDINGS, GRANTING INTERVENTIONS AND FIXING DATE OF HEARING

Missouri Public Service Company (Applicant) a Missouri corporation having its principal place of business at Warrenburg, Missouri, filed an application in Docket No. G-2157 on April 20, 1953, for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act authorizing the construction and operation of 24.4 miles of 10¾-inch O. D. natural gas transmission pipeline extending from a proposed point of connection with the transmission pipeline system of Cities Service Gas Company to Applicant's local distribution system in Clinton, Missouri.

Cities Service Gas Company (Applicant) a Delaware corporation having its principal place of business at Oklahoma City, Oklahoma, filed an application in Docket No. G-2209 on July 6, 1953, and supplements thereto on July 13 and August 31, 1953, for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act authorizing the construction and operation of metering facilities on its Ottawa, Kansas-Sedalia, Missouri 12-inch lateral, in Johnson County, Missouri for the sale of

natural gas to Missouri Public Service Company for (1) resale in Clinton, Missouri and environs and (2) boiler fuel use in its electric generating plant at Clinton, Missouri.

Due notice of the filing of said applications have been given, including publication in the FEDERAL REGISTER on May 6, 1953 (Docket No. G–2157, 18 F R. 2626) and on July 23, 1953 (Docket No. G–2209, 18 F. R. 4347)

Applicants have requested that their respective applications be heard under the shortened procedure provided by § 1.32 (b) of the Commission's rules of practice and procedure (18 CFR 1.32 (b) for noncontested proceedings)

Petitions for leave to intervene in the proceedings at (1) Docket No. G–2157 have been filed jointly by National Coal Association, United Mine Workers of America, and Fuels Research Council, Inc. on May 20, 1953 and singly by Missouri Coal Operators Association on May 20, 1953 and (2) at Docket No. G–2209 by Panhandle Eastern Pipe Line Company on August 4, 1953.

It appears that the above-entitled proceedings involve common questions of law and fact with respect to the feasibility of Applicants' proposals at Docket No. G–2157 and the ability of Cities Service Gas Company to perform the service proposed at Docket No. G–2209.

The Commission finds:

(1) Good cause has not been shown for granting Applicants request that their respective applications filed at Docket Nos. G–2157 and G–2209 be heard under the shortened procedure as provided by the Commission's rules of practice and procedure, and requests therefor should be denied as hereinafter ordered.

(2) It is appropriate for carrying out the provisions of the Natural Gas Act and good cause exists for consolidating the proceedings at Docket Nos. G–2157 and G–2209 for the purpose of hearing.

(3) The participation of the National Coal Association, United Mine Workers of America, Fuels Research Council, Inc., at Docket No. G–2157 and Panhandle Eastern Pipe Line Company at Docket No. G–2209 may be in the public interest.

The Commission orders:

(A) The request of Missouri Public Service Company at Docket No. G–2157 and Cities Service Gas Company at Docket No. G–2209, that the applications filed therein be heard under the provisions of § 1.32 (b) (18 CFR 1.32 (b)) of the Commission's rules of practice and procedure be and the same hereby are denied.

(B) The proceedings in Docket Nos. G–2157 and G–2209 be and the same hereby are consolidated for the purpose of hearing.

(C) National Coal Association, United Mine Workers of America, Fuels Research Council, Inc., be and they hereby are permitted to become interveners at Docket No. G–2157 and Panhandle Eastern Pipe Line Company be and is hereby permitted to become an intervener at Docket No. G–2209, each subject to the rules and regulations of the Commission: *Provided, however* That the participation of such interveners shall be limited to matters affecting asserted rights and interests specifically set forth in such petitions for leave to intervene: *And provided further,* That the admission of such interveners shall not be construed as recognition by the Commission that they or any of them might be aggrieved because of any order that may be entered by the Commission in these proceedings.

(D) Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a public hearing be held commencing on October 26, 1953, at 10:00 a. m., e. s. t., in the Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D. C., concerning the matters involved in and the issues presented by applications, supplements thereto and petitions of intervention filed at Docket Nos. G–2157 and G–2209.

(E) Interested State Commissions may participate as provided by §§ 1.8 and 1.37 (f) (18 CFR 1.8 and 1.37 (f)).

Adopted: October 8, 1953.

Issued: October 9, 1953.

By the Commission.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 53-8758; Filed, Oct. 14, 1953; 8:48 a. m.]

[Docket No. G–2191]

ARKANSAS-OKLAHOMA GAS CO.

ORDER FIXING DATE OF HEARING

On June 18, 1953, Arkansas-Oklahoma Gas Company (Applicant), a Delaware corporation with its principal place of business in Fort Smith, Arkansas, filed an application pursuant to section 7 of the National Gas Act, seeking permission and approval to remove, and relocate certain facilities and a certificate of public convenience and necessity authorizing the construction and operation of facilities, subject to the jurisdiction of the Commission, as described in the application on file with the Commission, and open to public inspection.

The Commission finds: This proceeding is a proper one for disposition under the provisions of § 1.32 (b) (18 CFR 1.32 (b)) of the Commission's rules of practice and procedure, Applicant having requested that its application be heard under the shortened procedure provided by the aforesaid rule for noncontested proceedings, and no request to be heard, protest, or petition having been filed subsequent to the giving of due notice of the filing of the application, including publication in the FEDERAL REGISTER on July 4, 1953 (18 F. R. 3919)

The Commission orders:

(1) Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing be held on October 26, 1953, at 9:45 a. m., e. s. t., in the Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D. C., concerning the matters involved in, and the issues presented by the application: *Provided, however* That the Commission may, after a noncontested hearing, forthwith dispose of the proceeding pursuant to the provisions of § 1.32 (b) of the Commission's rules of practice and procedure.

(2) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) (18 CFR 1.8 and 1.37 (f)) of the said rules of practice and procedure.

Adopted: October 8, 1953.

Issued: October 9, 1953.

By the Commission.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 53-8759; Filed, Oct. 14, 1953; 8:48 a. m.]

[Docket Nos. G–2203, G–2204]

SOUTHERN NATURAL GAS CO.

ORDER CONSOLIDATING PROCEEDINGS AND FIXING DATE OF HEARING

On June 29, 1953, Southern Natural Gas Company (Applicant) a Delaware corporation having its principal place of business at the Watts Building, Birmingham, Alabama, filed an application in Docket No. G–2203 for a certificate of public convenience and necessity, pursuant to section 7 of the Natural Gas Act, authorizing the construction and operation of approximately 2.034 miles of 12¾-inch loop line, subject to the jurisdiction of the Commission, extending parallel to Applicant's 10-inch Macon line from Bass Junction southeasterly to the point of interconnection of the Macon line and Atlanta Gas Light Company's Plant Arkwright tap line for the transportation of natural gas in interstate commerce. On the same date, Applicant filed an application in Docket No. G–2204 for a certificate of public convenience and necessity, pursuant to section 7 of the Natural Gas Act, authorizing the acquisition and operation of Atlanta Gas Light Company's Plant Arkwright tap line consisting of approximately 5,800 feet of 10¾-inch pipe line for the transportation of natural gas in interstate commerce. In the same application Applicant seeks authorization, pursuant to section 7 (b) of the Natural Gas Act, to abandon certain other facilities.

Applications in the above-entitled dockets are on file with the Commission and open to public inspection, public notice thereof having been given, including publication in the FEDERAL REGISTER on July 22, 1953 (18 F. R. 4260–4261)

Applicant requested in both applications that the proceedings be disposed of pursuant to § 1.32 (b) (18 CFR 1.32 (b)) of the Commission's rules of practice and procedure.

By orders of the Commission adopted September 25 and October 8, 1953, National Coal Association, United Mine Workers of America, and Fuels Research Council, Inc., joint petitioners in the above-entitled dockets, were permitted

to intervene in Docket Nos. G–2203 and G–2204, respectively.

Some of the issues in Docket Nos. G–2203 and G–2204, including the addition of off-peak capacity to be made available through construction of facilities sought to be authorized in Docket No. G–2203, and the possibility of future use of such capacity in conjunction with facilities for which authorization for acquisition is sought in Docket No. G–2204, may be interrelated.

The Commission finds:

(1) Good cause exists for consolidating the proceedings involved in Docket No. G–2203 with those involved in Docket No. G–2204 for purposes of hearing and decision thereon.

(2) These proceedings are not proper for disposition under the provisions of § 1.32 (b) (18 CFR 1.32 (b)) of the Commission's rules of practice and procedure.

The Commission orders:

(A) The proceedings involved in Docket Nos. G–2203 and G–2204 be and they hereby are consolidated for purpose of hearing.

(B) The request that the proceedings be disposed of under the provisions of § 1.32 (b) (18 CFR 1.32 (b)) of the Commission's rules of practice and procedure be and the same hereby is denied.

(C) Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by the Natural Gas Act, particularly sections 7 and 15 thereof, and the Commission's rules of practice and procedure (18 CFR, Chapter I) a hearing be held on November 4, 1953, at 10:00 a. m., in a hearing room of the Federal Power Commission, 441 G Street NW., Washington, D. C., concerning the matters involved in and the issues presented in the above-entitled consolidated proceedings.

(D) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) (18 CFR 1.8 and 1.37 (f)) of the Federal Power Commission's rules of practice and procedure.

Adopted: October 8, 1953.

Issued: October 9, 1953.

By the Commission.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 53–8760; Filed, Oct. 14, 1953; 8:49 a. m.]

[Docket No. G–2241]

TEXAS GAS TRANSMISSION CORP.

NOTICE OF APPLICATION

OCTOBER 8, 1953.

Take notice that Texas Gas Transmission Corporation (Applicant) a Delaware corporation having its principal place of business at 416 West Third Street, Owensboro, Kentucky, filed, on September 4, 1953, an application for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, authorizing the construction and operation of a sales meter run for the purpose of the delivery and sale of natural gas to Mississippi Valley Gas Company (Mississippi Valley) an existing customer, for resale to Mississippi Power & Light Company (Mississippi Power) for use in the latter's Delta Steam-Electric Generating Plant (Delta Plant) all as hereinafter more fully described.

In Docket No. G–2067, In the Matter of Texas Gas Transmission Corporation, Examiner's Decision issued April 1, 1953, effective May 1, 1953, as the final decision and order of the Commission, Applicant herein was granted authority to construct and operate a sales meter station near Merigold, Mississippi, to enable it to sell gas on an interruptible basis, directly to Mississippi Power for use in the Delta Plant. At the time of the proceedings in Docket No. G–2067, id., construction and operation of the sales meter run and the sale to Mississippi Valley as herein proposed was planned by Applicant, but was not included as part of the application in said Docket No. G–2067.

Applicant states that the delivery and sale to Mississippi Valley proposed herein will occur during the latter's off-peak periods, and the annual volume of such deliveries is estimated at 5,267,000 Mcf. The proposed facilities would be constructed and operated as an integral part of the facilities authorized in Docket No. G–2067, supra. Applicant estimates the cost of facilities at $9,191, and proposes to accomplish the financing out of cash on hand.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before the 29th day of October 1953. The application is on file with the Commission for public inspection.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 53–8753; Filed, Oct. 14, 1953; 8:47 a. m.]

[Docket No. G–2263]

LONE STAR GAS CO.

NOTICE OF APPLICATION

OCTOBER 8, 1953.

Take notice that on September 28, 1953, Lone Star Gas Company (Applicant) a Texas corporation having its principal place of business at Dallas, Texas, filed an application pursuant to section 7 of the Natural Gas Act for a certificate of public convenience and necessity for authority to construct and operate 4.13 miles of gas transmission pipe line, and for permission and approval to abandon 2.7 miles of gas transmission pipe line as hereinafter described.

Applicant proposes to relocate a portion of its 10-inch high-pressure transmission line designated as line "E" the portion of such line to be relocated being in the vicinity of the City of Denison, Grayson County, Texas. To effectuate such relocation, which Applicant states is required by reason of the fact that part of the existing line is located in a heavily populated part of the city, Applicant will construct 4.13 miles of 10-inch transmission line; will redesignate and use as tap and distribution lines a portion of its existing 10-inch line; and, will remove and salvage a portion of such existing 10-inch line. No abandonment of service will result from the proposed changes.

Estimated cost for all construction and abandonment operations is approximately $87,656 which Applicant proposes to finance from funds on hand. Applicant requests disposition of the matter under the shortened procedure provided by the Commission's rules. Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D. C., in accordance with the Commission's rules of practice and procedure, on or before the 29th day of October 1953. The application is on file with the Commission and open to public inspection.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 53–8754; Filed, Oct. 14, 1953; 8:47 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 31–614]

AMERICAN & FOREIGN POWER CO., INC.

NOTICE OF FILING APPLICATION FOR EXEMPTION

OCTOBER 9, 1953.

Notice is hereby given that American & Foreign Power Company Inc. ("Foreign Power"), a registered holding company and a subsidiary of Electric Bond and Share Company ("Bond and Share"), also a registered holding company, has filed an application for an order exempting itself, as a holding company, and itself and its direct and indirect subsidiaries, as subsidiaries of a holding company, from the provisions of the Public Utility Holding Company Act of 1935 ("act") pursuant to sections 3 (a) (5) and 3 (b) thereof.

All interested persons are referred to said application which is on file in the offices of the Commission for a statement of the facts contained therein, which are summarized as follows:

Foreign Power was organized under the laws of the State of Maine in 1923 and is exclusively a holding company. Foreign Power's direct and indirect subsidiaries (other than Ebasco International Corporation) operate or own securities of companies which operate in Argentina, Brazil, Chile, China, Colombia, Costa Rica, Cuba, Ecuador, Guatemala, Mexico, Panama and Venezuela. Such subsidiaries are engaged primarily in the electric utility business, but some of them are also engaged in the gas utility, transportation, telephone, water and ice businesses. Ebasco International Corporation, a New York corporation, is a wholly-owned subsidiary of Foreign Power engaged in rendering service to Foreign Power's subsidiaries. Neither Foreign Power nor any of its subsidiary companies is a public utility company operating in the United States. Foreign Power represents that during the past 10 years, the total income received, directly

and indirectly, by Foreign Power and its subsidiaries from sources within the United States aggregated less than 1 percent of the total consolidated income of Foreign Power and its subsidiaries and was derived principally from temporary cash investments.

On February 1, 1936, Foreign Power filed an application pursuant to sections 3 (a) (5) and 3 (b) of the act for exemption of itself, as a holding company, and of itself and its direct and indirect subsidiaries, as subsidiaries of Bond and Share. Because of the then existing capital structure of Foreign Power including huge preferred stock dividend arrears, the important investor's interests in Foreign Power, and the controlling influence exercised by Bond and Share, the Commission determined that only a partial exemption could be granted. Accordingly, Foreign Power was required to register as a holding company pursuant to the provisions of section 5 (a)

In May 1940, the Commission instituted proceedings under section 11 (b) (2) of the act directed to Bond and Share, Foreign Power and others, which proceedings, in so far as they affected Foreign Power, were directed primarily toward the simplification of its corporate structure and the equitable redistribution of voting power among its security holders. Those proceedings culminated in a plan of reorganization of Foreign Power under section 11 (e) of the act which plan was consummated on February 29, 1952. (See Holding Company Act Release No. 10870.)

Bond and Share now owns 3,941,985 shares of Foreign Power's outstanding common stock, representing 54.56 percent of the voting power. Under the Foreign Power plan certain provisions were included in Foreign Power's charter and by-laws to protect the public minority interest, including provisions regarding (a) preemptive rights in connection with an offering of additional common stock and (b) provisions requiring the vote of two-thirds of the outstanding stock to take affirmative action with respect to certain corporate matters (such as, inter alia, amendment of the by-laws with respect to annual and special meetings, creation of any other class of stock, contracts between the company and its directors, and the disposition of assets) except that when 33⅓ percent or more of the voting stock is owned or controlled directly or indirectly by one stockholder, then the affirmative vote required for such action is the vote of such stockholder and the vote of the holders of a majority of the outstanding shares not owned or controlled directly or indirectly by such stockholder, but not to exceed 75 percent of all of the outstanding stock. Cumulative voting is not provided for but Foreign Power represented that it would be its policy to maintain public representation on its board of directors and the Commission reserved jurisdiction with respect to the carrying out of this policy.

The capitalization and surplus of Foreign Power, as of December 31, 1952, was as follows:

	Amount	Percent of total
Long-term debt (exclusive of portion included in current liabilities):		
Gold debentures, 5 percent series due 2030	$50,000,000	14.7
4.80 percent junior debentures due 1957	67,119,700	19.8
Notes payable—Banks	8,750,000	2.6
Total	125,869,700	37.1
Common stock and surplus:		
Common stock, no par value, 7,224,238 shares outstanding	186,432,891	54.9
Earned surplus	27,204,841	8.0
Total	213,637,732	62.9
Grand total	339,427,432	100.0

A plan of reorganization of Bond and Share, approved by the Commission under section 11 (e) of the act (see Holding Company Act Release Nos. 11675 and 12055) provides, among other things, that from the effective date of such plan until Bond and Share is granted exemption from the act, which exemption has been requested pursuant to section 3 (a) (5) thereof, Bond and Share will file with the Commission each month reports, in a form satisfactory to the Commission, relating to any purchases or sales of Foreign Power common stock which have been made by Bond and Share in the preceding calendar month, unless the filing of such reports shall be waived by the Commission; that no purchase of any senior securities of Foreign Power will be made by Bond and Share without permission of the Commission; and that as long as Bond and Share shall be an affiliate, as defined in the act, of Foreign Power, Bond and Share and its subsidiaries (excluding Foreign Power or any subsidiary of Foreign Power) will perform service operations for Foreign Power and its subsidiaries at cost.

Notice is further given that any person may, not later than October 30, 1953, at 5:30 p. m., request the Commission in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues, if any, of fact or law raised by such application proposed to be controverted, or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time after October 30, 1953, said application, as filed or as it may be amended, may be granted.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 53-8764; Filed, Oct. 14, 1953; 8:49 a. m.]

[File No. 70-3038]

BEVERLY GAS AND ELECTRIC CO. ET AL.

ORDER PERMITTING APPLICATION-DECLARATION TO BECOME EFFECTIVE

OCTOBER 9, 1953.

In the matter of Beverly Gas and Electric Company, Gloucester Electric Company, Gloucester Gas Light Company, Salem Electric Lighting Company, Salem Gas Light Company, North Shore Gas Company, Essex County Electric Company, New England Power Company, New England Electric System, File No. 70-3038.

New England Electric System ("NEES") a registered holding company, and certain of its subsidiary companies, namely, Beverly Gas and Electric Company ("Beverly") Gloucester Electric Company ("Gloucester Electric") Gloucester Gas Light Company ("Gloucester Gas") Salem Electric Lighting Company ("Salem Electric") Salem Gas Light Company ("Salem Gas") North Shore Gas Company ("North Shore Gas") Essex County Electric Company ("Essex County Electric") and New England Power Company ("NEPCO") have filed a joint application-declaration with this Commission, pursuant to the Public Utility Holding Company Act of 1935 and certain rules and regulations promulgated thereunder, for the purpose of separating the gas and electric operations of Beverly and the consolidation of the gas and electric operations of Beverly and the other above named subsidiaries of NEES doing a retail business into a single gas operating company and a single electric operating company. The proposed transactions in connection with said consolidations are summarized as follows: (1) The transfer of Beverly's gas property to North Shore Gas and the transfers of utility properties by Gloucester Gas and Salem Gas to North Shore Gas and of Beverly (its remaining electric properties) Gloucester Electric and Salem Electric to Essex County Electric; (2) the cancellation by Beverly of 19,840 shares of its presently outstanding $25 par value capital stock thereby reducing the amount of its outstanding capital stock from 44,000 to 24,160 shares; (3) the sale by NEPCO of certain 23 kv. lines and related equipment, materials and supplies and the acquisition thereof by Essex County Electric; (4) the issuance by Essex County Electric and North Shore Gas of short-term promissory notes to banks and to NEES to pay for the facilities to be acquired from NEPCO and in substitution for presently outstanding promissory notes of the other subsidiaries participating in the consolidations, and in the case of North Shore Gas, in part, for future construction purposes; (5) the issuance by North Shore Gas and Essex County Electric of $10 par value common stock in the amounts of 198,984 shares and 393,777 shares (or fractional scrip), respectively; (6) the exchange by NEES of its stock holdings in Beverly, Gloucester Electric, Salem Electric, Gloucester Gas and Salem Gas for new shares of capital stock proposed to be issued by Essex County Electric and North Shore Gas and the acquisition by NEES of publicly held shares of Beverly, Gloucester Electric, Salem Electric and Salem Gas pursuant to cash alternative offers; (7) the purchase by NEES of scrip proposed to be issued by Essex County Electric and North Shore Gas in lieu of fractional shares and the purchase by Essex County

Electric and North Shore Gas of the fractional interest existing after the scrip has become worthless for exchange purposes; (8) the recordation by NEES of its investment in Essex County Electric and North Shore Gas in the amounts of $12,050,377 and $2,170,173 respectively, the aggregate thereof being equal to the total of the amounts presently recorded by NEES for its investment in the other subsidiaries participating in the consolidations, and the proposal by NEES to enter on its books the shares of stock acquired from the public at the cash cost thereof.

According to the joint application-declaration, the fees and expenses in connection with the proposed transactions are estimated not to exceed $41,590, such amount including an estimate not in excess of $27,000 as the cost of services to be rendered by New England Power Service Company, an affiliated service company.

The Department of Public Utilities of the Commonwealth of Massachusetts has approved the consolidation upon the proposed terms and it is stated in the joint application-declaration that applications have been filed with the Federal Power Commission relating to the proposed acquisitions of utility assets.

Public hearings have been held on these matters after appropriate notice and the Commission having considered the record and having filed its Findings and Opinion wherein after examining the proposed acquisitions of public-utility assets, did not find it necessary or appropriate in the public interest or for the protection of investors to make adverse findings or issue an order imposing special terms and conditions and wherein it found that the applicable standards of the act have been satisfied and that no adverse findings should be made with respect to said joint application-declaration, and the Commission deeming it in the public interest and in the interest of investors and consumers that said joint application-declaration be granted and permitted to become effective forthwith:

It is hereby ordered, That said joint application-declaration be, and the same hereby is, granted and permitted to become effective forthwith, subject, however, to the terms and conditions prescribed in Rule U-24.

It is further ordered, That a copy of the Commission's Findings and Opinion in this matter be submitted to all public stockholders of Beverly, Gloucester Electric, Salem Electric and Salem Gas.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 53-8762; Filed, Oct. 14, 1953; 8:49 a. m.]

[File No. 70-3039]

MALDEN AND MELROSE GAS LIGHT CO. ET AL

ORDER PERMITTING APPLICATION-DECLARATION TO BECOME EFFECTIVE

OCTOBER 9, 1953.

In the matter of Malden and Melrose Gas Light Company, Malden Electric Company, Suburban Gas and Electric Company, Arlington Gas Light Company, New England Power Company, New England Electric System, File No. 70-3039.

New England Electric System ("NEES") a registered holding company, and certain of its subsidiary companies, namely, Suburban Gas and Electric Company ("Suburban") Malden Electric Company ("Malden Electric") Malden and Melrose Gas Light Company ("Malden Gas") Arlington Gas Light Company ("Arlington") and New England Power Company ("NEPCO") have filed a joint application-declaration with this Commission, pursuant to the Public Utility Holding Company Act of 1935 and certain rules and regulations promulgated thereunder, for the purpose of separating the gas and electric operations of Suburban and the merger of the gas and electric operations of Suburban and the other above named subsidiaries of NEES doing a retail business into a single gas operating company and a single electric operating company. The proposed transactions in connection with said mergers are summarized as follows: (1) The transfer of Suburban's gas property to Malden Gas which will change its name to Mystic Valley Gas Company ("Mystic Valley Gas") and thereupon Arlington Gas will merge into Mystic Valley Gas and Suburban with only its electric department remaining will merge into Malden Electric which will change its name to Suburban Electric Company ("Suburban Electric") (2) the cancellation by Suburban of 33,152 shares of its presently outstanding $25 par value capital stock thereby reducing the amount of its outstanding capital stock from 87,705 to 54,553 shares; (3) the sale by NEPCO of certain 23 kv. lines and related equipment, materials and supplies and the acquisition thereof by Suburban Electric; (4) the issuance by Suburban Electric and Mystic Valley Gas of short-term promissory notes to banks to pay for the facilities to be acquired from NEPCO and, in part, in substitution for presently outstanding promissory notes of the merging subsidiaries, and in the case of Mystic Valley Gas, in part, for future construction purposes; (5) the issuance by Mystic Valley Gas and Suburban Electric of $25 par value common stock in the amounts of 124,412 shares and 43,852 shares (or fractional scrip), respectively; (6) the exchange by NEES of its stock holdings in the merging companies for new shares of capital stock proposed to be issued by Suburban Electric and Mystic Valley Gas and the acquisition by NEES of publicly held shares of the merging companies pursuant to cash alternative offers; (7) the purchase by NEES of scrip proposed to be issued by Suburban Electric and Mystic Valley Gas in lieu of fractional shares and the purchase by Suburban Electric and Mystic Valley Gas of the fractional interest existing after the scrip has become worthless for exchange purposes; (8) the proposal by NEES to reflect the mergers in its investment account by transferring $3,809,200 presently recorded as its investment in Suburban common and $2,082,065. its investment in Arlington Gas common, to Suburban Electric in the amount of $2,601,733 and to Mystic Valley Gas in the amount of $3,289,532, the total amount in each case being $5,891,265, and the proposal by NEES to enter on its books the shares of stock acquired from the public at the cash cost thereof.

According to the joint application-declaration, the fees and expenses in connection with the proposed transactions are estimated not to exceed $29,190 such amount including an estimate not in excess of $22,000 as the cost of services to be rendered by New England Power Service Company, an affiliated service company.

The Department of Public Utilities of the Commonwealth of Massachusetts has approved the mergers upon the proposed terms and it is stated in the joint application-declaration that applications have been filed with the Federal Power Commission relating to the proposed acquisitions of utility assets.

Public hearings have been held on these matters after appropriate notice and the Commission having considered the record and having filed its findings and opinion wherein after examining the proposed acquisitions of public-utility assets, did not find it necessary or appropriate in the public interest or for the protection of investors to make adverse findings or issue an order imposing special terms and conditions and wherein it found that the applicable standards of the act have been satisfied and that no adverse findings should be made with respect to said joint application-declaration, and the Commission deeming it in the public interest and in the interest of investors and consumers that said joint application-declaration be granted and permitted to become effective forthwith:

It is hereby ordered, That said joint application-declaration be, and the same hereby is, granted and permitted to become effective forthwith, subject, however, to the terms and conditions prescribed in Rule U-24.

It is further ordered, That a copy of the Commission's findings and opinion in this matter be submitted to all public stockholders of Suburban, Malden Electric and Malden Gas.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 53-8766; Filed, Oct. 14, 1953; 8:50 a. m.]

[File No. 70-3139]

STANDARD POWER AND LIGHT CORP.

NOTICE REGARDING PROPOSED DIVIDEND OUT OF CAPITAL SURPLUS AND SALE OF COMMON STOCK OF PUBLIC UTILITY SUBSIDIARY; AND NOTICE OF AND ORDER FOR HEARING

OCTOBER 9, 1953.

Notice is hereby given that Standard Power and Light Corporation ("Standard Power") a registered holding company, has filed a declaration, and amendments thereto, regarding its proposal (a) to pay a dividend of 25 cents per share, out of capital surplus, to each holder of record

of its outstanding common stocks, and (b) to sell from 10,000 to 15,000 shares of the common stock of Duquesne Light Company ("Duquesne") an electric utility company and an indirect subsidiary of Standard Power. Declarant designates section 12 of the Public Utility Holding Company Act of 1935 ("act") and Rules U-44 and U-46 thereunder as applicable to the proposed transactions.

All interested persons are referred to the said declaration, as amended, which is on file in the offices of the Commission for a statement of the transactions therein proposed which are summarized as follows:

I. Standard Power has heretofore been ordered by this Commission to liquidate and dissolve. (See 11 S. E. C. 689.) Pursuant to a plan approved by the Commission on May 18, 1953, under section 11 (e) of the act, Standard Power recently retired its outstanding preferred stock. (See Holding Company Act Release No. 11921.) Standard Power presently has outstanding a bank loan note with an unpaid balance of $1,500,000, which matures in July 1954, and 1,320,000 shares of Common Stock and 110,000 shares of Common Stock, Series B. Pursuant to an agreement, dated June 28, 1940, between H. M. Byllesby & Company ("Byllesby") and Standard Power, Byllesby surrendered for cancellation its holdings of 330,000 shares of Common Stock, Series B, of Standard Power with the reservation of the right to receive its proportionate share of the assets of Standard Power upon any distribution of such assets whether upon dissolution, merger, consolidation, or otherwise, on a parity with the holders of the Common Stock and Common Stock, Series B, of Standard Power. (See 7 S. E. C. 596.) Byllesby's rights under the aforesaid agreement are presently undetermined and will be the subject of further proceedings before the Commission. (See Holding Company Act Release Nos. 11510, p. 38 and 11765, p. 25.)

In connection with its aforesaid plan to retire the preferred stock, Standard Power advised the Commission of its intention to request a modification of the aforesaid order requiring the liquidation and dissolution of the company so as to permit Standard Power to cease to be a holding company by becoming an investment company which would register under the Investment Company Act of 1940. (See Holding Company Act Release No. 11921, p. 2.) Standard Power now states that a plan for this purpose is in course of preparation but is not yet sufficiently advanced to permit filing and that it is desirable to consummate the transactions herein proposed prior to the end of 1953 in order to realize the underlying tax consequences described below.

II. As of September 30, 1953, Standard Power had an earned surplus deficit of $31,046 and a capital surplus of $131,527,663. The holders of Standard Power's common stocks have received no dividends or other distributions since 1933 and the company desires to make the proposed distribution of 25 cents per share out of capital surplus in order to provide a return to its stockholders at the earliest practicable time. Standard Power represents that its assets are ample to enable it to raise any amount of cash required to pay the balance due on the bank loan note when it becomes due and that its improved financial position amply warrants the payment of the proposed dividend.

Standard Power, which holds 290,000 shares of the common stock of Duquesne, proposes to sell 10,000 to 15,000 shares of such stock in order to replenish the cash required to be disbursed in paying the said dividend and in order to establish tax losses which are partially necessary to offset capital gains already realized by Standard Power in 1953. Standard Power states that it intends to sell the Duquesne stock by negotiation, for investment and not for resale to the public, subject to a reservation of jurisdiction by the Commission over the terms and conditions of the sale. The company represents that competitive conditions will be maintained in the sale of the Duquesne stock and that proof thereof will be furnished to the Commission. Standard Power has been advised by its tax counsel that, as a result of the loss which will be sustained in the sale of the Duquesne stock, the proposed dividend distribution will constitute a tax-free return to its common stockholders.

Pending the resolution of Byllesby's rights under its aforesaid agreement with Standard Power, the company requests that the Commission also reserve jurisdiction over the question as to what extent, if any, Standard Power may be liable to Byllesby by reason of making the proposed dividend distribution to its stockholders. Standard Power further represents that it will have ample resources after such distribution is made to meet any claims of Byllesby and that the proposed distribution will not in any way impair or prejudice any rights that Byllesby may have as the same may finally be determined by the Commission.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a public hearing be held with respect to the proposed transactions for the purpose of affording an opportunity to all interested persons to present evidence and to be heard:

It is ordered, That a hearing be held on such matters on October 26, 1953, at 2:00 p. m., at the offices of the Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. On such date the Hearing Room Clerk in Room 193 will advise as to the room in which such hearing will be held. Any person desiring to be heard in connection with these proceedings or desiring to participate otherwise shall file with the Secretary of this Commission on or before October 22, 1953, a written request relative thereto as provided by Rule XVII of the Commission's rules of practice.

It is further ordered, That Harold B. Teegarden or any other officer or officers of the Commission designated by it for that purpose shall preside at said hearing. The officer so designated is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the act and to a hearing officer under the Commission's rules of practice.

The Division of Corporate Regulation has advised the Commission that it has made a preliminary examination of the declaration, as amended, and that, upon the basis thereof, the following matters and questions are presented for consideration, without prejudice, however, to the presentation of additional matters and questions upon further examination:

(1) Whether the proposed payment by Standard Power of a dividend out of capital surplus meets the standards of section 12 (c) of the act, and, particularly, whether it will adversely affect the financial integrity of Standard Power;

(2) Whether the sale by Standard Power of common stock of Duquesne as proposed meets the standards of section 12 (d) of the act, and, particularly, whether competitive conditions have been maintained;

(3) Whether in all respects the proposed transactions are necessary and appropriate and fair and equitable to all persons affected thereby;

(4) What terms, conditions or reservations of jurisdiction, if any, the Commission's order to be entered herein should contain; and

(5) Generally, whether the proposed transactions will circumvent any of the applicable provisions and standards of the act and of the rules and regulations promulgated thereunder.

It is further ordered, That particular attention be directed at said hearing to the foregoing matters and questions.

It is further ordered, That jurisdiction be, and the same hereby is, reserved to separate for hearing, in whole or in part, or for disposition, in whole or in part, any of the issues, questions or matters hereinbefore set forth or which may hereafter arise, or to consolidate these proceedings with other proceedings, or to take such other action as may appear to be necessary for the orderly, prompt, and economical disposition of the matters involved.

It is further ordered, That the Secretary of the Commission shall serve a copy of this notice by registered mail on Standard Power and Byllesby, and that notice be given to all other persons by publication of this notice in the FEDERAL REGISTER and by general release of the Commission, distributed to the press and mailed to the mailing list for releases under the act.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 53-8765; Filed, Oct. 14, 1953 8:50 a. m.]

[File No. 812-851]

NATIONAL SECURITIES & RESEARCH CORP.

NOTICE OF FILING OF APPLICATION SEEKING EXTENSION OF TIME TO ELECT INDEPENDENT DIRECTOR

OCTOBER 9, 1953.

Notice is hereby given that National Securities & Research Corporation

("National") as sponsor, underwriter and investment adviser of National Securities Series ("Series") a registered diversified open-end management investment company, has filed an application under section 10 (e) of the Investment Company Act of 1940 ("act") requesting an order granting National an extension of time to October 26, 1953, to comply with the requirements of section 10 (b) (2) and (e) of the act in connection with the filling of a vacancy on the board of directors of the applicant.

Section 10 (b) (2) provides that no registered investment company shall use a principal underwriter of securities issued by it any director, officer, or employee of such registered company or any person of which any such director, officer, or employee is an affiliated person, unless a majority of the board of directors of such registered investment company shall be persons who are not such principal underwriters or affiliated persons of any of such principal underwriters. Section 10 (e) provides, in pertinent part, however, that if by reason of the death of any director, the requirements of section 10 (b) (2) are not met by a registered investment company, the operation of such provisions shall be suspended as to such registered investment company for a period of thirty days if the vacancy may be filled by action of the board of directors, or for such longer period as the Commission may prescribe, by order upon application, as not inconsistent with the protection of investors.

Section 10 (h) (2) provides, in pertinent part, that in the case of a registered management company which is an unincorporated company not having a board of directors the provisions of section 10 (b) (2) as modified by section 10 (e) shall apply to the board of directors of the depositor and of every investment adviser of such company. Since Series is an unincorporated trust and has no board of directors, the provisions of section 10 (h) (2) apply to National which is the depositor, investment adviser and principal underwriter for Series. National's board of directors prior to September 4, 1953, consisted of nine directors, five of whom were considered by National to be in the status of independent directors within the meaning of section 10 (b) (2) As a result of the death of Dr. Max Winkler, one of these independent directors, on September 4, 1953, four of the eight remaining directors were affiliated with the company in such a manner that the composition of the board of directors no longer complied with the requirements of section 10 (b) (2)

The applicant states that the task of finding a person with suitable experience and independence as a replacement for the deceased director has been great and time consuming and that thus far no suitable candidate has definitely agreed to serve. It is further stated that the next regular meeting of the board of directors of National will take place on October 26, 1953 and, accordingly, it is requested that the Commission extend the time to fill the vacancy on National's board of directors to October 26, 1953, or such further time as the Commission may from time to time order.

Notice is further given that any interested person may, not later than October 17, 1953, at 5:30 p. m., submit to the Commission in writing any facts bearing upon the desirability of a hearing on the matter and may request that a hearing be held, such request stating the nature of his interest, the reasons for such request and the issues, if any, of fact or law proposed to be controverted, or he may request that he be notified if the Commission should order a hearing thereon. Any such communication or request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time after said date, the application may be granted as provided in Rule N-5 of the rules and regulations promulgated under the act.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 53-8763; Filed, Oct. 14, 1953; 8:49 a. m.]